

Prison Rape Elimination Act (PREA) Audit Report

Adult Prisons & Jails

☐ Interim ☒ Final

Date of Report March 22, 2018

Auditor Information

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Telephone: 865-789-1037	Date of Facility Visit: December 4-6, 2017

Agency Information

Name of Agency: Carter County Sheriff's Office		Governing Authority or Parent Agency (If Applicable): N/A	
Physical Address: 900 East Elk Avenue, Elizabethton, TN 37643		City, State, Zip: N/A	
Mailing Address: 900 East Elk Avenue, Elizabethton, TN 37643		City, State, Zip: N/A	
Telephone: 1-423-542-1855		Is Agency accredited by any organization? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
The Agency Is:	<input type="checkbox"/> Military	<input type="checkbox"/> Private for Profit	<input type="checkbox"/> Private not for Profit
<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> County	<input type="checkbox"/> State	<input type="checkbox"/> Federal

Agency mission: As Law Enforcement Officers we are directed to seek justice, love mercy and walk humbly. Our mission is to protect and serve. We aggressively seek justice on behalf of the victim, pursue predators and bring them to justice in order to protect the innocent from the ruthless. We seek to become servant leaders, and to serve with mercy for the victim, the family of the accused, and the offender that takes responsibility for their actions. And we will walk humbly and serve our community with quiet confidence.

Agency Website with PREA Information: www.sheriff.cc

Agency Chief Executive Officer

Name: Dexter Lunceford	Title: Sheriff
Email: luncefordd@sheriff.cc	Telephone: 1-423-542-1847

Agency-Wide PREA Coordinator

Name: Ronnie Kent	Title: Lieutenant
Email: kentr@sheriff.cc	Telephone: 1-423-542-1855
PREA Coordinator Reports to: Captain Eric Trivette	Number of Compliance Managers who report to the PREA Coordinator 3

Facility Information

Name of Facility: Carter County Jail			
Physical Address: 900 East Elk Avenue, Elizabethton, TN 37643			
Mailing Address (if different than above): 900 East Elk Avenue, Elizabethton, TN 37643			
Telephone Number: 1-423-542-1855			
The Facility Is:	<input type="checkbox"/> Military	<input type="checkbox"/> Private for profit	<input type="checkbox"/> Private not for profit
<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> County	<input type="checkbox"/> State	<input type="checkbox"/> Federal
Facility Type:	<input checked="" type="checkbox"/> Jail	<input type="checkbox"/> Prison	
Facility Mission: As Law Enforcement Officers we are directed to seek justice, love mercy and walk humbly. Our mission is to protect and serve. We aggressively seek justice on behalf of the victim, pursue predators and bring them to justice in order to protect the innocent from the ruthless. We seek to become servant leaders, and to serve with mercy for the victim, the family of the accused, and the offender that takes responsibility for their actions. And we will walk humbly and serve our community with quiet confidence.			
Facility Website with PREA Information: www.sheriff.cc			

Warden/Superintendent

Name: Eric Trivette	Title: Captain
Email:	Telephone: 1-423-542-1855

Facility PREA Compliance Manager

Name: Chelsea Payne	Title: PREA Manager
Email:	Telephone: 1-423-542-1855

Facility Health Service Administrator

Name: Mitzia Wadill	Title: Medical Team Administrator
Email:	Telephone: 1-423-542-1855

Facility Characteristics				
Designated Facility Capacity: 300		Current Population of Facility: 221		
Number of inmates admitted to facility during the past 12 months:				4028
Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for 30 days or more:				422
Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for 72 hours or more:				1489
Number of inmates on date of audit who were admitted to facility prior to August 20, 2012:				0
Age Range of Population:	Youthful Inmates Under 18: N/A	Adults: 18-68		
Are youthful inmates housed separately from the adult population?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> NA
Number of youthful inmates housed at this facility during the past 12 months:				0
Average length of stay or time under supervision:				16 Days
Facility security level/inmate custody levels:				Min/Med/Max
Number of staff currently employed by the facility who may have contact with inmates:				46
Number of staff hired by the facility during the past 12 months who may have contact with inmates:				46
Number of contracts in the past 12 months for services with contractors who may have contact with inmates:				1
Physical Plant				
Number of Buildings: 1		Number of Single Cell Housing Units: 4		
Number of Multiple Occupancy Cell Housing Units:		2 – person cells		
Number of Open Bay/Dorm Housing Units:		4		
Number of Segregation Cells (Administrative and Disciplinary):		27		
Description of any video or electronic monitoring technology (including any relevant information about where cameras are placed, where the control room is, retention of video, etc.):				
The facility has a total of approximately 252 cameras. The recording capacity is approximately 6-8 months.				
Medical				
Type of Medical Facility:		Sycamore Shoals Hospital and Sycamore Shoals Hospital or the Sycamore Shoals Hospital or the Johnson City Medical Center		
Forensic sexual assault medical exams are conducted at:		Sexual Assault Center of East Tennessee		
Other				
Number of volunteers and individual contractors, who may have contact with inmates, currently authorized to enter the facility:				190
Number of investigators the agency currently employs to investigate allegations of sexual abuse:				4

Audit Findings

Audit Narrative

The onsite PREA audit of the Carter County Jail was conducted December 4-6, 2017, by Office of Justice Certified PREA Auditor Brian D. Bivens. Carter County is the self-proclaimed gateway to the Southern Highlands. It is known for the fishing in the Watauga River, Rhododendron Garden on Roan Mountain and the beautiful Watauga Lake. The Carter County Jail is located in rural Elizabethton, Tennessee. The 2010 census listed Carter County's population at 57,424. Carter County is named in honor of Landon Carter, an early settler active in the State of Franklin.

Pre-audit preparation included a thorough review of all policies, procedures, training curriculums, Pre-Audit Questionnaire, and supporting documentation provided by the facility to demonstrate compliance to the PREA standards. The auditor and the PREA Coordinator had ongoing communication for several months prior to the audit to prepare for the on-site visit. The Auditor completed an initial on-site review prior to the audit.

The auditor wishes to extend his deepest appreciation to Captain Eric Trivette, Lt. Ronnie Kent, and Cpl. Matt Patterson, and their staff for their professionalism, hospitality, and kindness. The auditor also wishes to compliment the Carter County Jail's PREA Team for the outstanding work in organizing the files that were provided to the auditor in advance of the audit. This enabled the audit to move forward very efficiently.

The facility supplied a list of resident names sorted by housing units, disabilities, and special designations, as well as a list of facility staff names to the auditor. From these lists the auditor selected, at random, a sampling of residents and staff to be interviewed during the on-site visit. The sampling size for residents included at least two inmates in each housing pod. This decision was made to ensure all residents throughout the facility were receiving the same information and education related to all aspects of the PREA program instituted at this facility.

The on-site audit began with an entrance meeting being conducted on Monday, December 4, 2017 at 09:00 a.m. in the Sheriff's Office Training Room. The following staff attended the entrance meeting:

Lt. Ronnie Kent, PREA Coordinator

Pattie Duffield, Classification/Time Keeper

Matt Patterson, Power Shift Supervisor

Chelsea Payne, PREA Manager

Mitzia Weddill, Medical Team Administrator

Following the entrance meeting, the auditor conducted a comprehensive site review that began at approximately 09:00 a.m. and continued throughout the onsite visit. During the site review the auditor reviewed camera placement, blind spots, staff placement and documentation to assist in determining standard compliance. While touring the facilities the auditor observed the notices of

this PREA audit in the main public lobby; as well as, all the buildings, as well as posters (NO Means NO) that called attention to the agency's Zero Tolerance Policy and how to report allegations of sexual abuse and sexual harassment. Random staff and resident interviews were conducted in private areas (attorney room and multipurpose room). The following staff accompanied the auditor on the site review:

Lt. Ronnie Kent

Chelsea Payne, PREA Manager

Matt Patterson, Power Shift Supervisor

All housing units, day rooms, resident program areas, work areas, and all other resident accessible areas were toured. Other accessible areas included the Kitchen, Laundry, Inmate Worker Housing, Classroom/Programing Room, Recreation Yards, Lobby, Administrative Area, Intake and Sally port. While touring several inmates and staff were questioned about their knowledge of PREA standards, procedures for reporting, services available, and their responsibilities. All staff and residents informally interviewed during the tour acknowledged receiving training and procedures for reporting sexual abuse, sexual harassment, and/or retaliation for reporting. The auditor found the staff to be well versed in their duties as PREA 1st Responders.

The auditor interviewed a total of 22 staff members during the course of this audit. Staff interviews consisted of: 8 security staff selected at random covering all shifts, 1 volunteer, 2 supervisors, 3 employees informally selected during the facility tour, and 13 specialized staff who has multiple roles that encompasses all specialized staff interviews. All staff interviewed was well versed in their respective areas of responsibility regarding PREA and affirmed compliance with the applicable PREA standards. There is no SAFE or SANE staff at the facility; they are made available through a Memorandum of Understanding with the Sexual Assault Center of East Tennessee. Exams would be performed at Sycamore Shoals Hospital or the Johnson City Medical Center. Staff interviewed was well versed in their responsibilities in reporting sexual abuse, sexual harassment, staff negligence, and retaliation for reporting. It was clear the staff received and understood training on how to communicate with LGBTI inmates, how to avoid inappropriate relations with inmates and how they could privately report sexual abuse. When questioned about evidence preservation, all staff responses reflected knowledge of agency policies and procedures. Staff are issued a First Responder Card, which is kept on their person at all times.

There were 24 inmates interviewed during the on-site visit. There were two inmates listed with disabilities to include blind, deaf, or limited English proficient. There had 7 reports of sexual abuse or sexual harassment in the past 12 months. All of the inmates interviewed acknowledged receiving PREA training and written materials in languages that they could comprehend (posters, pamphlets, and resident handbooks) outlining the agencies zero tolerance policies towards sexual abuse, sexual harassment, and retaliation for reporting, as well as the procedures for reporting. There were 4 inmates did not remember if they had been screening during the intake process. Records check showed each inmate was screened within 72 hours of intake. Records indicate the PREA video is played routinely in the intake area; all inmates indicated they had watched the PREA video. All inmates interviewed felt if they had to file a PREA complaint the facility would respond appropriately

to their complaint and that all PREA complaints were taken very serious by staff at this facility. All inmates stated they felt safe in the facility.

The auditor selected and carefully examined 10 human resource and training files, and 2 volunteer files. The personnel and training files were very well organized and contained all the necessary background check information and signed statements regarding previous sexual misconduct described in the standards. There were two instances where the Carter County Sheriff's Office request information from previous institutional employers. The training records were also very complete and included written documentation that staff and volunteers received the required training and understood what was being trained. It was clear the PREA Manager thoroughly covers all aspects of PREA during his training sessions.

The auditor also reviewed 10 offender files and saw documentation of offender education, as well as documentation of the initial risk screenings, and screenings upon additional information being completed as required by the standard.

In the 12 months preceding the audit, the Carter County Jail investigated seven complaints concerning sexual abuse or sexual harassment. Policy and forms are in place for documenting inmate notification, incident review and retaliations monitoring. Policy and procedure required that criminal investigative referrals were to be documented and proper referrals were made as warranted.

The investigations were broken down as follows:

Staff on Inmate	Sexual Abuse	Unfounded
Staff on Inmate	Sexual Abuse	Unfounded
Inmate on Inmate	Sexual Misconduct	Unsubstantiated
Staff on Inmate	Sexual Harassment	Substantiated
Inmate on Inmate	Sexual Harassment	Unfounded
Inmate on Inmate	Sexual Harassment	Unfounded
Inmate on Inmate	Sexual Abuse	Unsubstantiated

At the conclusion of the on-site visit, an exit meeting was held on December 6, 2017 at approximately 1330 to discuss the audit findings. The following staff attended:

Lt. Ronnie Kent, PREA Coordinator

Captain Eric Trivette, Jail Administrator

Matt Patterson, Power Shift Supervisor

During the exit, the auditor explained the process that would follow the on-site visit. The auditor also explained any areas found not meeting the standards during the audit would require corrective measures and he would be working closely with the PREA team to accomplish compliance. Finally, the auditor acknowledged the willingness of all staff involved to accomplish PREA compliance and advised the PREA team of their requirements to post the final report on the facility website once compliance with all standards was achieved.

Communications continued with PREA Manager Patterson and the auditor during the corrective action period. A second site visit was completed on March 19, 2017. All outstanding action items for sixteen standards were discussed, additional documentation was reviewed; along with another tour of parts of the facility. An additional interview was conducted with the Health Services Administrator. It was determined by the auditor that all corrective action items were address and all standards were in compliance.

Facility Characteristics

The Carter County Jail was opened in 2010 and is certified for 300 inmates by the Tennessee Corrections Institute. The facility operated 4 – 12 hour shifts. 3 of the 4 shifts have a PREA Manager. The Carter County Sheriff's Office's goal is to have a PREA Manager on each shift. Inmates housed at the facility are from every corner of Carter County. Carter County Jail houses inmates from surrounding jurisdictions. Carter County also has a contract with the Tennessee Office of Corrections for state inmates. The facility houses both male and female inmates; the facility does not house juvenile inmates. Custody levels include minimum, medium and maximum custody.

The facility is a high-rise building that is comprised of several floors of housing units, with an intake and an inmate worker unit. Alpha Pod A and B are maximum custody housing units for male inmates. Bravo Pod A and B houses females inmates. Charlie Pod and Delta is broken down as follows:

- A. Minimum Males
- B. Minimum Males
- C. Protective Custody
- CA. Classification Males
- CB. Classification Females
- D. Restrictive Housing (Males)
- DA. Inmate Workers
- DB. Inmate Workers

All showers and toilets have curtains that promote privacy.

A PREA Manager investigates incidents that occur in the jail, as well as his other duties as PREA Coordinator. IF the incident involves sexual abuse, a specialized trained Carter County Criminal Detective will be the lead investigator in the potential criminal case. All new Corrections Officer complete the Tennessee Corrections Institute Corrections Training Program prior to working with inmates. The program is two weeks in length. Within their first year of employment, Corrections Officers are required to complete 40 hours of training to be certified by the Tennessee Corrections Institute. Each year therefore, corrections Office are required to complete 40 hours of in-service training. The Carter County Jail is in compliance with the Tennessee Corrections Institute.

Summary of Audit Findings

Number of Standards Exceeded:

115.11

Number of Standards Met:

115.12, 115.13, 115.15, 115.14, 115.16, 115.17, 115.18, 115.21, 115.31, 115.32, 115.33, 115.34, 115.35, 115.41, 115.42, 115.43, 115.51, 115.52, 115.53, 115.54, 115.61, 115.62, 115.63, 115.64, 115.65, 115.66, 115.67, 115.68, 115.71, 115.72, 115.73, 115.73, 115.78, 115.81, 115.82, 115.86, 115.87, 115.88, 155.89 115.401, 115.403

Number of Standards Not Met:

Summary of Corrective Action (if any)

See narrative for each standard.

PREVENTION PLANNING

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

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.11 (a)

- Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment? ☒ Yes ☐ No
- Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment? ☒ Yes ☐ No

115.11 (b)

- Has the agency employed or designated an agency-wide PREA Coordinator? ☒ Yes ☐ No
- Is the PREA Coordinator position in the upper-level of the agency hierarchy? ☒ Yes ☐ No
- Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities?
☒ Yes ☐ No

115.11 (c)

- If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.) ☐ Yes ☐ No ☒ NA
- Does the PREA compliance manager have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.)
☐ Yes ☐ No ☒ NA

Auditor Overall Compliance Determination

- ☒ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☐ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Evidence Reviewed:

A. Documents

- 1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files**
- 2. PREA Compliance Audit Instrument Checklist**
- 3. Policy 500.03 Jail PREA Policy**
- 4. Job Description**
- 5. Organizational Chart**
- 6. Letter of Appointment**

B. Interview

- 1. PREA Coordinator**

115.11 (a) The Carter County Jail staff follows the Jail PREA Policy 500.03 (page 6), on Sexual Harassment/Sexual Abuse which mandates a zero tolerance for all forms of sexual abuse and sexual harassment. This policy outlines the agency's approach to preventing, detecting, and responding to such conduct. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.11 (B) and (C) The agency employs an upper-level, agency-wide PREA Coordinator. The Carter County Job Description outlines the responsibilities of the PREA Coordinator. Ronnie Kent was appointed as the agency-wide PREA Coordinator by the Carter County Sheriff. The facility provided the auditor with the organizational chart showing the PREA Coordinator position as an upper-level, agency-wide position. The agency also has a General Order for PREA Coordinator, Number 500.03B; which outlines the duties of PREA Coordinator. The PREA Coordinator is very knowledgeable of the PREA standards and actively assists the facility with compliance. The PREA Coordinator has the authority to develop, implement, and oversee PREA compliance. He is actively updating the facility as new Frequently Ask Questions (FAQ's) results are published on the PREA Resource Center website. The Agency has three PREA Managers; with the goal to have a total of four (4); one per shift.

During interviews with the PREA Coordinator and PREA Managers, they indicated they had sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards as required. Therefore, the facility exceeds compliance with this part of the standard during this audit.

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

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.12 (a)

- If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.) ☐ Yes ☐ No ☒ NA

115.12 (b)

- Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates OR the response to 115.12(a)-1 is "NO".) ☐ Yes ☐ No ☒ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on the documentation provided as well as staff interviews it was determined the Carter County Jail does not contract with other facilities to house inmates assigned to their custody. Therefore, this standard was found to be compliant to this facility during this audit.

Standard 115.13: Supervision and monitoring

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.13 (a)

- Does the agency ensure that each facility has developed a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse? ☒ Yes ☐ No

- Does the agency ensure that each facility has documented a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse? ☒ Yes ☐ No
- Does the agency ensure that each facility's staffing plan takes into consideration the generally accepted detention and correctional practices in calculating adequate staffing levels and determining the need for video monitoring? ☒ Yes ☐ No
- Does the agency ensure that each facility's staffing plan takes into consideration any judicial findings of inadequacy in calculating adequate staffing levels and determining the need for video monitoring? ☒ Yes ☐ No
- Does the agency ensure that each facility's staffing plan takes into consideration any findings of inadequacy from Federal investigative agencies in calculating adequate staffing levels and determining the need for video monitoring? ☒ Yes ☐ No
- Does the agency ensure that each facility's staffing plan takes into consideration any findings of inadequacy from internal or external oversight bodies in calculating adequate staffing levels and determining the need for video monitoring? ☒ Yes ☐ No
- Does the agency ensure that each facility's staffing plan takes into consideration all components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated) in calculating adequate staffing levels and determining the need for video monitoring? ☒ Yes ☐ No
- Does the agency ensure that each facility's staffing plan takes into consideration the composition of the inmate population in calculating adequate staffing levels and determining the need for video monitoring? ☒ Yes ☐ No
- Does the agency ensure that each facility's staffing plan takes into consideration the number and placement of supervisory staff in calculating adequate staffing levels and determining the need for video monitoring? ☒ Yes ☐ No
- Does the agency ensure that each facility's staffing plan takes into consideration the institution programs occurring on a particular shift in calculating adequate staffing levels and determining the need for video monitoring? ☒ Yes ☐ No ☐ NA
- Does the agency ensure that each facility's staffing plan takes into consideration any applicable State or local laws, regulations, or standards in calculating adequate staffing levels and determining the need for video monitoring? ☒ Yes ☐ No
- Does the agency ensure that each facility's staffing plan takes into consideration the prevalence of substantiated and unsubstantiated incidents of sexual abuse in calculating adequate staffing levels and determining the need for video monitoring? ☒ Yes ☐ No
- Does the agency ensure that each facility's staffing plan takes into consideration any other relevant factors in calculating adequate staffing levels and determining the need for video monitoring? ☒ Yes ☐ No

115.13 (b)

- In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)
☒ Yes ☐ No ☐ NA

115.13 (c)

- In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section? ☒ Yes ☐ No
- In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies? ☒ Yes ☐ No
- In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan? ☒ Yes ☐ No

115.13 (d)

- Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment? ☒ Yes ☐ No
- Is this policy and practice implemented for night shifts as well as day shifts? ☒ Yes ☐ No
- Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Evidence Reviewed:

A. Documents

1. **Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files**
2. **PREA Compliance Audit Instrument Checklist**
3. **Policy 500.03 Carter County Jail PREA Policy**
4. **Staffing Plan**
5. **Employee Scheduling Deviation Form**
6. **Unannounced Round Documentation**

B. Interviews

1. **Jail Administrator**
2. **PREA Coordinator**
3. **Upper Level Supervisors conduction Unannounced Rounds**

C. Other

1. **Personal Observation during Site Review**

The following delineates the audit findings regarding this standard:

115.13 (a) The Agency did not have a comprehensive PREA Staffing Plan at the time of the onsite review.

The established staffing plan should use the criteria found in the standard 115.13 (a) to include the physical layout of the facility, composition of the residents housed, the prevalence of substantiated and unsubstantiated incidents of sexual abuse, and any other relevant factors identified. Video monitoring should be deployed to assist with the protection of offenders against sexual abuse at this facility. The staffing levels should be monitored daily by review of shift rosters. The staffing plan should take into consideration:

- Generally accepted detention and correctional practices;
- Any judicial findings of inadequacies (there were none at the time of the site review)
- Any findings of inadequacies from Federal investigation oversight agencies (there were none at the time of the site review)
- Any findings of inadequacy from internal or external oversight bodies (there were none at the time of the site review)
- All components of the facility's physical plant (Intake/Kitchen/Laundry)
- The composition of the inmate population (adult males and adult females only)
- The number and placement of supervisory staff (one per shift)
- Institution programs occurring on a particular shift (classroom)
- Any applicable State or local laws, regulation, or standards (Tennessee Corrections Institute Standards)
- The prevalence of substantiated and unsubstantiated incidents of sexual abuse, and
- Any other relevant factors.

Corrective Action:

The staffing plan needs to be established in collaboration with the Sheriff, Jail Administrator and PREA Coordinator.

Response to Corrective Action:

Carter County developed a staff plan in accordance with the requirements of 115.13 (a). The staffing plan was completed on 01/04/18. The staffing plan was completed by the PREA Coordinator, forwarded to the Jail Administrator and Sheriff. The established staffing plan should use the criteria found in the standard 115.13 (a) to include the physical layout of the facility, composition of the residents housed, the prevalence of substantiated and unsubstantiated incidents of sexual abuse, and any other relevant factors identified. Video monitoring should be deployed to assist with the protection of offenders against sexual abuse at this facility. The staffing levels should be monitored daily by review of shift rosters. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.13 (b) The agency did not have a comprehensive PREA Staffing Plan at the time of the onsite review.

Corrective Action:

The staffing plan needs to be established in collaboration with the Sheriff, Jail Administrator and PREA Coordinator.

Response to Corrective Action:

The facility has implemented procedures to ensure all deviations are covered. All deviations are documented and the PREA Coordinator is notified. The staffing plan was completed by the PREA Coordinator, forwarded to the Jail Administrator and Sheriff. Therefore, the facility not demonstrated compliance with this part of the standard during this audit.

115.13 (c) The Agency does not have a comprehensive PREA Staffing Plan at this time. Once The Staffing Plan has been developed; the agency will need to complete a review by the PREA Coordinator and forwarded to the Jail Administrator and Sheriff for review and approval of any recommendations made which would include changes to policy and procedures, physical plant, video monitoring, or staffing levels. Therefore, the facility does not demonstrated compliance with this part of the standard during this audit.

Corrective Action:

The staffing plan needs to be established in collaboration with the Sheriff, Jail Administrator and PREA Coordinator.

Response to Corrective Action:

The facility has implemented procedures to ensure all deviations are covered. All deviations are documented and the PREA Coordinator is notified. Therefore, the facility not demonstrated compliance with this part of the standard during this audit.

115.13 (d) Based on Carter County Jail Shift Supervisor facility logs, staff interviews, policy 500.03 (pages 10 and 11), and other documentation provided. The on-duty supervisor is required to conduct and documenting UNANNOUNCED rounds on all shifts as required. Rounds are conducted and documented at least once every shift (dayshift and night shift). Rounds are completed each shift

and supervisors that were interviewed stated they change their routine or pattern each day to ensure that staff and inmates are not alerted. Rounds are entered electronically as they are being conducted. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.14: Youthful inmates

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.14 (a)

- Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates [inmates <18 years old].) ☐ Yes ☐ No ☒ NA

115.14 (b)

- In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates [inmates <18 years old].) ☐ Yes ☐ No ☒ NA
- In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates [inmates <18 years old].) ☐ Yes ☐ No ☒ NA

115.14 (c)

- Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates [inmates <18 years old].) ☐ Yes ☐ No ☒ NA
- Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates [inmates <18 years old].) ☐ Yes ☐ No ☒ NA
- Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates [inmates <18 years old].) ☐ Yes ☐ No ☒ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)

☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Policy 500.03 Carter County Jail PREA Policy

B. Interviews

1. Jail Administrator

Based on the policy 500.03 (page 9) provided and interview with the Jail Administrator, the Carter County Jail is an all adult facility and does not house youthful offenders. Therefore, this standard was found to be compliant to this facility during this audit.

Standard 115.15: Limits to cross-gender viewing and searches

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.15 (a)

- Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?
☒ Yes ☐ No

115.15 (b)

- Does the facility always refrain from conducting cross-gender pat-down searches of female inmates in non-exigent circumstances? (N/A here for facilities with less than 50 inmates before August 20, 2017.) ☒ Yes ☐ No ☐ NA
- Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A here for facilities with less than 50 inmates before August 20, 2017.) ☒ Yes ☐ No ☐ NA

115.15 (c)

- Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches? ☒ Yes ☐ No

- Does the facility document all cross-gender pat-down searches of female inmates?
☒ Yes ☐ No

115.15 (d)

- Does the facility implement a policy and practice that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks? ☒ Yes ☐ No
- Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit? ☒ Yes ☐ No

115.15 (e)

- Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status? ☒ Yes ☐ No
- If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner? ☒ Yes ☐ No

115.15 (f)

- Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs? ☒ Yes ☐ No
- Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Evidence Reviewed:

A. Documents

- 1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files**
- 2. PREA Compliance Audit Instrument Checklist**
- 3. Policy 500.03 Carter County Jail PREA Policy**
- 4. Training Curriculum**

B. Interviews

- 1. Random Staff**
- 2. Random Inmates**

C. Other

- 1. Observation during Site Review**

The following delineates the audit findings regarding this standard:

115.15 (a) Carter County Jail policy 500.03 (pages 8 and 9) outlines offender searches including searches of transgender and intersex offenders. The review of training curriculums and staff interviews revealed cross gender strip searches are prohibited except in exigent circumstances and must be documented when conducted. The agency has logs to document exigent circumstances when appropriate. There have been no documented cross-gender visual body cavity or strip searches reported in the past 12 months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (b) Carter County Jail Policy 500.03 prohibits male employees from frisk/pat searches of female inmates/residents except in exigent circumstances. The agency has logs to document exigent circumstances when appropriate. Interviews with random staff confirm this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit. The PREA Coordinator confirmed there were no occasions where male employees searched any female inmate, either frisk/pat or strip-search. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (c) Carter County Jail policy 500.03 (page 9), prohibits frisk/pat searches of the female inmates by male staff and requires that all cross-gender searches in exigent circumstances be documented. The agency has logs to document exigent circumstances when appropriate. Interviews with random staff confirm this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (d) Carter County Jail policy 500.03 does not outline that inmates shall be permitted to shower, perform bodily functions and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks or genitalia. The inmates confirmed during interviews they have privacy when showering, using the toilets and while changing their clothes. Carter County Jail policy 500.03 page 9 also requires staff of the opposite gender to announce their presence prior to entering the housing units. Even in incidents pertaining suicide cells, Carter County does not allow opposite gender viewing. There were no inmates housing in suicide cells in the housing units during the time of the site review. Inmate and staff interviews revealed that opposite gender announcements were common practice at this facility and reminders of this requirement are posted

on the entry doors of all housing units exceeding the requirements of this part of the standard during this audit.

Corrective Action:

Add to existing policy 500.03 page 9, transgender inmates are allowed the opportunity to shower alone.

Response to Corrective Action:

Policy 500.03 has been revised; it now states “furthermore, transgender inmates will be given the opportunity to shower alone, away from other inmates”. Policy review was conducted with all staff members, making them aware of the policy revision.

115.15 (e) Based on Carter County Jail policy 500.03, training curriculum provided and staff interviews the facility prohibits staff from physically examining transgender or intersex inmates for the sole purpose of determining genital status. Staff Training Logs showed all completed the approved training. If the inmate’s genital status is unknown, it is determined during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner. At the time of the site review, there were no transgender or intersex inmates to interview concerning this standard. During the past 12 months, there were no incidents where the Medical Staff had to perform an examination that fell within said parameters. During interview with the LBGTI inmate, it was confirmed that the inmate did not feel a strip search had ever been conducted for this purpose. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (f) Based on Carter County Jail policy 500.03, training curriculum provided, staff training file reviews, and staff interviews the facility trains security staff to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. During interview with the LBGTI inmate, it was confirmed that the inmate felt the staff conducts proper searches. There were also no complaints filed by the LBGTI inmate in the past 12 months related to searches. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.16 (a)

- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency’s efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are deaf or hard of hearing? ☒ Yes ☐ No

- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are blind or have low vision? ☒ Yes ☐ No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have intellectual disabilities? ☒ Yes ☐ No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have psychiatric disabilities? ☒ Yes ☐ No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have speech disabilities? ☒ Yes ☐ No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Other (if "other," please explain in overall determination notes)? ☒ Yes ☐ No
- Do such steps include, when necessary, ensuring effective communication with inmates who are deaf or hard of hearing? ☒ Yes ☐ No
- Do such steps include, when necessary, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary? ☒ Yes ☐ No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have intellectual disabilities? ☒ Yes ☐ No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills? ☒ Yes ☐ No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Are blind or have low vision? ☒ Yes ☐ No

115.16 (b)

- Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient? ☒ Yes ☐ No
- Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary? ☒ Yes ☐ No

115.16 (c)

- Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Jail PREA Policy

B. Interviews

1. PREA Coordinator
2. Random Staff

C. Other

1. TTY Phone
2. Personal Observation

The following delineates the audit findings regarding this standard:

115.16 (a) The Carter County Jail takes appropriate steps to ensure inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, have an equal opportunity to participate in or benefit from all aspects of its efforts to prevent, detect, and respond to sexual abuse

and sexual harassment, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. PREA handouts, PREA postings, PREA education video, and the inmate handbook are provided in both English and Spanish. The TTY phone was tested for functionality by the PREA Coordinator. There were no inmates with disabilities incarcerated during the time of the audit. The inmates and staff also confirmed that interpretive services are available when needed. Policy 500.03 does not specifically address blind or low vision inmates, nor does it address those inmates with intellectual disabilities, psychiatric, or speech disabilities.

Corrective Action:

Add into policy 500.03 how the agency assists those inmates who are blind or low vision, or have intellectual disabilities, psychiatric, or speech disabilities; as it pertains to understanding PREA information/education/training.

Response to Corrective Action:

Policy 500.03 was revised. The Carter County Jail provides a Minicom IV TTY modem for inmates who are deaf, and shall use writing materials to communicate with deaf inmates as needed. For inmates that are blind, staff shall read all PREA material aloud to ensure complete understanding of the agency's policy, procedure, and inmate training as it pertains to PREA. Staff will also ensure those inmates with intellectual disabilities, psychiatric or speech disabilities understand the agency's policy, procedure, and inmate training as it pertains to PREA before being housed from Intake. At the time of the second site visit, the Carter County Jail did not have any inmates with disabilities for interviewing. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.16 (b) The Carter County Jail takes reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide interpreters who can interpret effectively, accurately, and impartially. Foreign Language Academy and/or staff interpreters are used to translate at this facility. There were no limited English speaking inmates or inmates with disabilities incarcerated at the time of the onsite audit. The staff also confirmed that interpretive services are available when needed. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.16 (c) Carter County Jail policy 500.03 (page 9), illustrates the agency does not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety. In the past 12 months, there have not been any Limited English speaking inmates incarcerated in the Carter County Jail. The PREA Coordinator advised during this audit cycle there were no instances where an inmate interpreter had to be utilized. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.17: Hiring and promotion decisions

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.17 (a)

- Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)? ☒ Yes ☐ No
- Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse? ☒ Yes ☐ No
- Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the question immediately above? ☒ Yes ☐ No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)? ☒ Yes ☐ No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse? ☒ Yes ☐ No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the question immediately above? ☒ Yes ☐ No

115.17 (b)

- Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates? ☒ Yes ☐ No

115.17 (c)

- Before hiring new employees, who may have contact with inmates, does the agency: perform a criminal background records check? ☒ Yes ☐ No
- Before hiring new employees, who may have contact with inmates, does the agency: consistent with Federal, State, and local law, makes its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse? ☒ Yes ☐ No

115.17 (d)

- Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates? ☒ Yes ☐ No

115.17 (e)

- Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees? ☒ Yes ☐ No

115.17 (f)

- Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions? ☒ Yes ☐ No
- Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees? ☒ Yes ☐ No
- Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct? ☒ Yes ☐ No

115.17 (g)

- Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination? ☒ Yes ☐ No

115.17 (h)

- Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.) ☒ Yes ☐ No ☐ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

- 1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files**
- 2. PREA Compliance Audit Instrument Checklist**
- 3. Policy 500.03 Carter County Jail PREA Policy**
- 4. Background Checks (10)**
- 5. Self-Declaration Forms**
- 6. Documentation for Previous Employers**

B. Interviews

- 1. Human Resource Staff**
- 2. PREA Coordinator**

The following delineates the audit findings regarding this standard:

115.17 (a) According to agency policy 500.03 (pages 11 and 12), Carter County Jail does not hire or promote anyone who may have contact with inmates, and does not enlist the services of any contractor or volunteer who may have contact with inmates, who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution, has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or has been civilly or administratively adjudicated to have engaged in the activity described above. The agency does not have a PREA Self-Declaration form on all applicants as well as a background check is completed by the Carter County Sheriff's Office on all new applicants confirming compliance. Review of Human Resource files confirms this practice.

Corrective Action:

Create a PREA Self-Declaration Form and add it to the hiring process.

Response to Corrective Action:

Carter County Jail has developed and implemented a Self-Declaration of Sexual Abuse/Sexual Harassment form. It is now being utilized for all applicants, employees, Unescorted Contractors/Volunteers and anytime an employee is promoted within the organization. Ten personnel records were reviewed and all ten had a signed Self-Declaration of Sexual Abuse/Sexual Harassment Form. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.17 (b) Carter County Jail policy 500.03 (pages 9 and 10), the Carter County Sheriff's Office considers any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor or volunteer, who may have contact with inmates. Interview with the Human Resource staff confirms this practice. Examples of this process were reviewed by the auditor. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (c)-1 Carter County Jail requires a criminal background records check be completed before hiring any new employee. Carter County participates in the Rap Back Program through the Tennessee Bureau of Investigations; meaning background checks are continuous. Interview with

Human Resource Staff corroborates compliance. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

(c)-2 Carter County Jail makes their best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any pending investigations of allegation of sexual abuse. This request is documented on PREA Questionnaire for Prior Institutional Employer Form. The auditor reviewed two such requests. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (d) According to policy 500.03, Carter County Jail requires a criminal background records check be completed before enlisting the services of any contractor or volunteer who may have contact with the inmates. Review of two volunteer files confirmed compliance. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (e) According to policy 500.03 (page 12), Carter County Jail conducts criminal background records checks on a constant basis by utilization of NCIC's Rap Back Program of current employees and contractors who may have contact with inmates. This program alerts the Sheriff any time fingerprints are submitted for criminal charges on anyone who is a current employee, applicant, volunteer and/or contractor. Ten personnel files were reviewed and ten out of ten confirmed this practice. Therefore, the facility exceeds compliance with this part of the standard during this audit.

115.17 (f) Carter County Jail policy 500.03 (page 12), mandates that all employees have a continuing affirmative duty to disclose any sexual misconduct as required by this standard. The agency does not have a PREA Self-Declaration form on all applicants as well as a background check is completed by the Carter County Sheriff's Office on all new applicants confirming compliance. Review of Human Resource files confirms this practice.

Plan of Action:

Create a PREA Self-Declaration Form and add it to the hiring process.

Response to Corrective Action:

Carter County Jail has developed and implemented a Self-Declaration of Sexual Abuse/Sexual Harassment form. It is now being utilized for all applicants, employees, Unescorted Contractors/Volunteers and anytime an employee is promoted within the organization. Ten personnel records were reviewed and all ten had a signed Self-Declaration of Sexual Abuse/Sexual Harassment Form. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.17 (g) Carter County Sheriff's Office policy 500.03 (page 12), mandates that material omissions regarding sexual misconduct, and the provision of materially giving false information, are grounds for termination as required by this standard. During the past twelve months, there was no incident that was applicable for this section of the standard. Interview with the PREA Coordinator confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (h) Carter County Sheriff's Office policy 500.03 (page 12), requires that the agency shall provide information on substantiated allegations of sexual abuse or sexual harassment involving a current or former employee upon receiving a request from an institutional employer for whom such

employee has applied to work. During the past twelve months, there was no incident that was applicable for this section of the standard. Interview with the PREA Coordinator reiterated this process. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.18: Upgrades to facilities and technologies

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.18 (a)

- If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)
☐ Yes ☐ No ☒ NA

115.18 (b)

- If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)
☐ Yes ☐ No ☒ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Jail PREA Policy

B. Interviews

1. PREA Coordinator
2. Jail Administrator

C. Other

1. Observation during Site Review

The following delineates the audit findings regarding this standard:

115.18 (a) Carter County Jail policy 500.03 (page 11), requires when designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the agency shall consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse. During this audit cycle there have been no expansions or modifications to this facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.18 (b) Carter County Jail requires when installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency shall consider how such technology may enhance the agency's ability to protect inmates from sexual abuse. This was reaffirmed during an interview with the Jail Administrator and PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

During this audit cycle there has been additions to the video technology at this facility. Staff as well as inmates confirmed during interviews they felt safe in the facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

RESPONSIVE PLANNING

Standard 115.21: Evidence protocol and forensic medical examinations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.21 (a)

- If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)
☒ Yes ☐ No ☐ NA

115.21 (b)

- Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.) ☒ Yes ☐ No ☐ NA
- Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Office of Justice's Office on Violence against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.) ☒ Yes ☐ No ☐ NA

115.21 (c)

- Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiary or medically appropriate? ☒ Yes ☐ No
- Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible? ☒ Yes ☐ No
- If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)? ☒ Yes ☐ No
- Has the agency documented its efforts to provide SAFEs or SANEs? ☒ Yes ☐ No

115.21 (d)

- Does the agency attempt to make available to the victim a victim advocate from a rape crisis center? ☒ Yes ☐ No
- If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? ☒ Yes ☐ No
- Has the agency documented its efforts to secure services from rape crisis centers? ☒ Yes ☐ No

115.21 (e)

- As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews? ☒ Yes ☐ No
- As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals? ☒ Yes ☐ No

115.21 (f)

- If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating entity follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.) ☒ Yes ☐ No ☐ NA

115.21 (g)

- Auditor is not required to audit this provision.

115.21 (h)

- If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? [N/A if agency attempts to make a victim advocate from a rape crisis center available to victims per 115.21(d) above.] ☒ Yes ☐ No ☐ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

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

B. Interviews

1. PREA Coordinator
2. PREA Investigator
3. Random Staff

The following delineates the audit findings regarding this standard:

115.21 (a) and (b) Carter County Jail complies with all elements of this standard. The agency follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings. The Carter County Sheriff's investigates all PREA complaints for potential criminal activity and maintains a close working relationship with the County

Prosecutor and the Carter County Sheriff's Office Investigator on each case. Interview with the PREA Investigator confirms this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (c) Carter County Jail offers all victims of sexual abuse access to forensic medical examinations at the Sycamore Shoals Hospital or the Johnson City Medical Center without financial cost, where evidentiary or medically appropriate. Such examinations are to be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) as required. During the past 12 months, there has not been an incident where this service was needed. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (d) The Carter County Jail has entered into a Memorandum of Understanding with Sexual Assault Center of East Tennessee which agrees to provide outside victim advocacies services to the inmates. The services of these victim advocates has not been requested or used by the inmates during this audit cycle. Review of the MOU confirms this agreement. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (e) Carter County Jail has entered into a Memorandum of Understanding with Sexual Assault Center of East Tennessee which agrees to provide outside victim advocacies services to the inmates upon request. The facility also makes available to the victim a qualified agency staff member, upon request by the victim, who will accompany and support the victim through the forensic medical examination process and investigatory interviews and provide emotional support, crisis intervention, information, and referrals as warranted. During the past 12 months, there has not been an incident where this service was needed. Policy 500.03 (page 13), and interview with the PREA Coordinator confirms this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (f) The Carter County Jail is responsible for administrative and criminal investigations with the cooperation of the Carter County District Attorney's Office covering all aspects of this standard. Interviews with random staff and the PREA Coordinator corroborate policy 500.03 (page 13). Therefore, this part of the standard is not applicable to this facility.

Standard 115.22: Policies to ensure referrals of allegations for investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.22 (a)

- Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse? ☒ Yes ☐ No
- Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment? ☒ Yes ☐ No

115.22 (b)

- Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior? ☒ Yes ☐ No
- Has the agency published such policy on its website or, if it does not have one, made the policy available through other means? ☒ Yes ☐ No
- Does the agency document all such referrals? ☒ Yes ☐ No

115.22 (c)

- If a separate entity is responsible for conducting criminal investigations, does such publication describe the responsibilities of both the agency and the investigating entity? [N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).] ☐ Yes ☐ No ☒ NA

115.22 (d)

- Auditor is not required to audit this provision.

115.22 (e)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA Policy
4. Referral Documentation

B. Interviews

1. PREA Coordinator
2. Facility Investigator

C. Other

1. Auditor Observation

The following delineates the audit findings regarding this standard:

115.22 (a) According to policy 500.03 (page 13), the Carter County Jail is required to investigate ALL PREA complaints received at this facility. All potential criminal activity is referred to the PREA Investigator assigned to the Carter County Jail for the Carter County Sheriff's Office. There were no reports of sexual abuse referred and investigated during this audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.22 (b) All PREA allegations are investigated by the Carter County Jail for potential criminal activity. If it is determined that the allegation involves potential criminal activity, it is referred to the PREA Investigator of the Carter County Sheriff's Office for criminal investigation and prosecution as warranted. This policy is posted in the facility's website as required. Interview with the PREA Investigator confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.22 (c) The Carter County Jail refers all criminal allegations for investigation to the designated PREA investigator of the Carter County Sheriff's Office. The requirements of this part of the standard are outlined in the policy that is posted in the facility's lobby. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

TRAINING AND EDUCATION

Standard 115.31: Employee training

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.31 (a)

- Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment? ☒ Yes ☐ No
- Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures? ☒ Yes ☐ No
- Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment ☒ Yes ☐ No
- Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment? ☒ Yes ☐ No
- Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement? ☒ Yes ☐ No

- Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims? ☒ Yes ☐ No
- Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse? ☒ Yes ☐ No
- Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates? ☒ Yes ☐ No
- Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates? ☒ Yes ☐ No
- Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?
☒ Yes ☐ No

115.31 (b)

- Is such training tailored to the gender of the inmates at the employee's facility? ☒ Yes ☐ No
- Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa? ☒ Yes ☐ No

115.31 (c)

- Have all current employees who may have contact with inmates received such training?
☒ Yes ☐ No
- Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures? ☒ Yes ☐ No
- In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies? ☒ Yes ☐ No

115.31 (d)

- Does the agency document, through employee signature or electronic verification, that employees understand the training they have received? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA Policy
4. Employee Training Files (10)
5. Acknowledgement Training Form

B. Interviews

1. Random Staff

The following delineates the audit findings regarding this standard:

115.31 (a) Carter County Jail train all their employees who have contact with inmates on:

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

Review of the training curriculum confirms this process. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.31 (b) The training is tailored to both male and female gender of the inmates at Carter County Jail. Review of the training curriculum and training material corroborates this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.31 (c) The training staff provided a report containing all staff that had been PREA trained which confirmed the requirements needed to meet the standard and proved that all current staff was

trained within one year of the effective date of the PREA standards. All staff receive annual refresher PREA training during in-service according to policy 500.03 (pages 14 and 15) which meets the requirements of this standard. Training records are stored in the Tennessee Corrections Institute Portal. Therefore, the facility meets this part of the standard during this audit.

115.31 (d) Carter County does not have a specific form for employees to sign acknowledging the have received and understand the PREA training. Training records are stored in the Tennessee Corrections Institute Portal.

Corrective Action:

Create a PREA Training Acknowledgement Form. Each employee receiving training should sign the new acknowledge form.

Response to Corrective Action:

Carter County Jail has developed an "Employee PREA Training Acknowledgement Form" The form has the employee sign that he/she acknowledges that they have received and understood training on the Prison Rape Elimination Act. The form bullets each sections that is required under 115.31. Ten training files were reviewed and all ten had signed "Employee PREA Training Acknowledgement Forms". Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

Standard 115.32: Volunteer and contractor training

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.32 (a)

- Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures? ☒ Yes ☐ No

115.32 (b)

- Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)? ☒ Yes ☐ No

115.32 (c)

- Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. **Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files**
2. **PREA Compliance Audit Instrument Checklist**
3. **Carter County Sheriff's Office Jail PREA Policy**
4. **Training Files**
5. **Training Curriculum**
6. **Training Acknowledgement Form**

B. Interviews

1. **Volunteers**
2. **Contractors**

The following delineates the audit findings regarding this standard:

115.32 (a) Policy 500.03 (page 15), Carter County Jail ensures all volunteers and contractors who have contact with inmates have been trained on their responsibilities under Carter County Jail's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. Interview with a volunteer and contractor confirmed they received and understood PREA training. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.32 (b) The level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with inmates, but all volunteers and contractors who have contact with inmates are notified of Carter County Jail's zero-tolerance policy regarding sexual abuse and sexual harassment and their requirements to report such incidents. Volunteers and contractors were well versed in First Responder duties. It is the practice of the Carter County Jail, that volunteers and contractor are always escorted inside the Carter County Jail. During the past 12 months, there were no volunteers or contractors who acted as First Responders to a sexual abuse incident. Review of training files and curriculum confirms this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.32 (c) Carter County Jail PREA training acknowledgment form for volunteers and contractors needs to be more detailed. Review of training records confirmed this practice.

Plan of Action:

Develop a Volunteer/Contractor PREA Training Acknowledgement Form that volunteers and contractors understand the training they have received.

Response to Corrective Action:

The Carter County Jail has developed and implemented the "Volunteer/Contractor PREA Training Acknowledgement Form. The volunteer/contractor signs the form acknowledging that he/she has received and understood the training on the PREA Rape Elimination Act provided by the Carter County Sheriff's Office. The form bullets twelve specific items covered under the training. Five training records were randomly reviewed; all five had signed "Volunteer/Contractor PREA Training Acknowledgement Forms". Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

Standard 115.33: Inmate education

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.33 (a)

- During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment? ☒ Yes ☐ No
- During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment? ☒ Yes ☐ No

115.33 (b)

- Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment? ☒ Yes ☐ No
- Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents? ☒ Yes ☐ No
- Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents? ☒ Yes ☐ No

115.33 (c)

- Have all inmates received such education? ☒ Yes ☐ No
- Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?
☒ Yes ☐ No

115.33 (d)

- Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient? ☒ Yes ☐ No
- Does the agency provide inmate education in formats accessible to all inmates including those who are deaf? ☒ Yes ☐ No
- Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired? ☒ Yes ☐ No
- Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled? ☒ Yes ☐ No
- Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills? ☒ Yes ☐ No

115.33 (e)

- Does the agency maintain documentation of inmate participation in these education sessions? ☒ Yes ☐ No

115.33 (f)

- In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA Policy
4. Intake Files
5. Inmate Training Records
6. PREA Training Acknowledgement Forms
7. Reassessment Documentation

B. Interviews

1. Intake Staff
2. Random Inmates

C. Other

1. PREA Video
2. LEP Training Material

The following delineates the audit findings regarding this standard:

115.33 (a) Carter County Policy 500.03 pages 15 and 16 states that during the intake process, inmates receive information explaining Carter County Jail's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. The information is on a brochure and is part of their intake packet. This process was corroborated during interviews with Intake Staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (b) During the intake process, Carter County Jail provides comprehensive education to the inmates, administered by video, regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents. Participation is properly documented. The Carter County Jail has each inmate sign the "PREA Acknowledgement Form – Initial Intake. This form signifies they have received PREA training, know all the ways to report sexual abuse and sexual harassment and have been given the telephone number and address to the Sexual Assault Center of East Tennessee. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (c) During interviews with random inmates, Carter County Jail has provided such education within one year of the effective date of the PREA standards to all its inmates, Carter County operates one facility; therefore, there are no inter-agency facility transfers. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (d) Carter County Jail provides inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. The facility has an agreement with Language Line Services as well as TTY phones to assist inmates with these disabilities. A functionality test was successfully performed on the TTY phone by the PREA Coordinator. The facility will assign staff as needed to ensure comprehension is achieved by inmates with disabilities. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (e) There was documentation provided of inmates participation in PREA educational sessions as required by this part of the standard. The auditor recommends to detail the inmate training acknowledgment form. Interviews with random inmates and review of intake files confirmed this practice. Therefore, the facility demonstrated does not compliance with this part of the standard during this audit.

Corrective Action:

Create a detailed Inmate PREA Training Acknowledgment form and add to policy 500.03.

Response to Corrective Action:

The Carter County Jail has each inmate sign the "PREA Acknowledgement Form – Initial Intake. This form signifies they have received PREA training, know all the ways to report sexual abuse and sexual harassment and have been given the telephone number and address to the Sexual Assault Center of East Tennessee. Randomly, ten inmate records were reviewed and all ten had a signed "PREA Training Acknowledgement Form". Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (f) Carter County Jail does provide the inmates with posters in inmate accessible areas, pamphlets received upon intake, and an inmate handbook in English and Spanish outlining the zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. Spanish information is also available on the pod kiosk located in each housing unit. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.34: Specialized training: Investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.34 (a)

- In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).) ☒ Yes ☐ No ☐ NA

115.34 (b)

- Does this specialized training include techniques for interviewing sexual abuse victims? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] ☒ Yes ☐ No ☐ NA
- Does this specialized training include proper use of Miranda and Garrity warnings? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] ☒ Yes ☐ No ☐ NA
- Does this specialized training include sexual abuse evidence collection in confinement settings? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] ☒ Yes ☐ No ☐ NA
- Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] ☒ Yes ☐ No ☐ NA

115.34 (c)

- Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).]
☒ Yes ☐ No ☐ NA

115.34 (d)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA Policy
4. Training File
5. Training Curriculum

B. Interviews

1. PREA Investigator

The following delineates the audit findings regarding this standard:

115.34 (a) The PREA Investigators have not received the general PREA training provided to all employees Carter County Jail ensures that the investigators have received training in conducting investigations in confinement settings. The PREA Investigator has not completed the National Institute of Corrections course on investigating sexual assaults in a confinement setting. Review of the PREA Investigator's training file confirmed this practice.

Corrective Action:

- Each investigator must complete the PREA training as outlined in 115.31.
- Each investigator must complete special training as it pertains to investigations of sexual abuse in confinement settings.

Response to Corrective Action:

The PREA Investigator completed the NIC Certification – PREA – Investigating Sexual Abuse in Confinement Setting. Each investigator completed the PREA training as outlined in 115.31 and signed the “PREA Training Acknowledgement Form”. Therefore, the facility does demonstrated compliance with this part of the standard during this audit. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.34 (b) Specialized training includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.

The PREA Investigators must complete the National Institute of Corrections course on investigating sexual assaults in a confinement setting. Therefore, the facility does not demonstrated compliance with this part of the standard during this audit.

Corrective Action:

- Each investigator must complete the PREA training as outlined in 115.31.
- Each investigator must complete special training as it pertains to investigations of sexual abuse in confinement settings.

Response to Corrective Action:

The PREA Investigator completed the NIC Certification – PREA – Investigating Sexual Abuse in Confinement Setting. Each investigator completed the PREA training as outlined in 115.31 and signed the “PREA Training Acknowledgement Form”. Therefore, the facility does demonstrated compliance with this part of the standard during this audit. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.34 (c) The PREA Investigators must complete the National Institute of Corrections course on investigating sexual assaults in a confinement setting. Therefore, the facility does not demonstrated compliance with this part of the standard during this audit. Therefore, the facility does not demonstrated compliance with this part of the standard during this audit.

Corrective Action:

- Each investigator must complete the PREA training as outlined in 115.31.
- Each investigator must complete special training as it pertains to investigations of sexual abuse in confinement settings.

Response to Corrective Action:

The PREA Investigator completed the NIC Certification – PREA – Investigating Sexual Abuse in Confinement Setting. Each investigator completed the PREA training as outlined in 115.31 and signed the “PREA Training Acknowledgement Form”. Therefore, the facility does demonstrated compliance with this part of the standard during this audit. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

Standard 115.35: Specialized training: Medical and mental health care

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.35 (a)

- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? ☒ Yes ☐ No
- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? ☒ Yes ☐ No
- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? ☒ Yes ☐ No
- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? ☒ Yes ☐ No

115.35 (b)

- If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams.) ☒ Yes ☐ No ☐ NA

115.35 (c)

- Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? ☒ Yes ☐ No

115.35 (d)

- Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? ☒ Yes ☐ No
- Do medical and mental health care practitioners contracted by and volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. **Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files**
2. **PREA Compliance Audit Instrument Checklist**
3. **Carter County Sheriff's Office Jail PREA Policy**
4. **Training File**
5. **Training Curriculum**

B. Interviews

1. **Medical and Mental Health Staff**

The following delineates the audit findings regarding this standard:

115.35 (a) The PREA Specialized Medical/Mental Health training video, curriculum provided, training file Carter County Jail review and staff interviews revealed the agency has provided specialized training to all its medical and mental health staff on how to detect and assess signs of sexual abuse and sexual harassment, how to preserve physical evidence, how to respond effectively and professionally to victims of sexual abuse and sexual harassment and how to report allegations of sexual abuse and sexual harassment. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.35 (b) The medical staff at this facility does not conduct forensic exams. Therefore, this part of the standard is not applicable to this facility.

115.35 (c) Carter County Jail contracts with Frontier Health Services for medical and mental health services. The agency maintains documentation that all medical and mental health practitioners have received specialized training. Specialized training consisted of the National Institute of Corrections course for medical and mental health staff on dealing with sexual abuse incidents in a confinement setting. Training documentation provided confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.35 (d) Medical and mental health care practitioners with Frontier Health Services also receive the annual training mandated for all employees, contractors, and volunteers. Interview with the staff and PREA Coordinator confirmed this training. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS

Standard 115.41: Screening for risk of victimization and abusiveness

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.41 (a)

- Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates? ☒ Yes ☐ No
- Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates? ☒ Yes ☐ No

115.41 (b)

- Do intake screenings ordinarily take place within 72 hours of arrival at the facility?
☒ Yes ☐ No

115.41 (c)

- Are all PREA screening assessments conducted using an objective screening instrument?
☒ Yes ☐ No

115.41 (d)

- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability? ☒ Yes ☐ No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate? ☒ Yes ☐ No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate? ☒ Yes ☐ No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated?
☒ Yes ☐ No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent?
☒ Yes ☐ No

- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child? ☒ Yes ☐ No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)? ☒ Yes ☐ No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization? ☒ Yes ☐ No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability? ☒ Yes ☐ No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10) Whether the inmate is detained solely for civil immigration purposes? ☒ Yes ☐ No

115.41 (e)

- In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior acts of sexual abuse? ☒ Yes ☐ No
- In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior convictions for violent offenses? ☒ Yes ☐ No
- In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: history of prior institutional violence or sexual abuse? ☒ Yes ☐ No

115.41 (f)

- Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening? ☒ Yes ☐ No

115.41 (g)

- Does the facility reassess an inmate's risk level when warranted due to a: Referral? ☒ Yes ☐ No

- Does the facility reassess an inmate's risk level when warranted due to a: Request?
☒ Yes ☐ No
- Does the facility reassess an inmate's risk level when warranted due to a: Incident of sexual abuse? ☒ Yes ☐ No
- Does the facility reassess an inmate's risk level when warranted due to a: Receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?
☒ Yes ☐ No

115.41 (h)

- Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section? ☒ Yes ☐ No

115.41 (i)

- Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA Policy
4. Screening Tool
5. Reassessment Documentation

B. Interviews

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

The following delineates the audit findings regarding this standard:

115.41 (a) Policy 500.03 (pages 17-19) states the Carter County Jail ensures that all inmates are assessed during intake and upon transfer to another facility for risk of being sexually abused by other inmates or sexually abusive toward other inmates. Carter County Sheriff's Office only has one correctional facility; therefore, there are no inmate transfers. Interview with the PREA Coordinator confirms this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (b) The Carter County Jail provided documentation proving compliance with the standard that all inmates are screened for their risk of being sexually abused by other inmates or being sexually abusive toward other inmates normally upon intake but no later than 72 hours of arrival at the facility. All screening reviewed appeared to properly be completed and within the prior time frame. 10 out of 10 records reviewed showed 100% compliance. Random inmate interviews corroborate this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (c) Based on the documentation provided and inmate file reviews the facility utilizes an objective screening instrument that covers all aspects of this standard. The facility screening staff does informally override the screening tool. Therefore, the facility does not demonstrated compliance with this part of the standard during this audit.

115.41 (d) The intake screening instrument used considers, at a minimum, the following criteria to assess inmates for risk of sexual victimization:

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

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

115.41 (e) The initial screening considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to Carter County Jail, in assessing inmates for risk of being sexually abusive. Review of the screening tool confirms compliance. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (f) Within 30 days from the inmate's arrival, the Carter County Jail PREA Manager will reassess each inmate's risk of victimization or abusiveness based upon any additional, relevant information received by Carter County Jail since the intake screening. The PREA Manager maintains an organized filing system in her officer to manage this task. The reassessment consists of a face-to-face interview with each inmate by the PREA Manager. File review (10 out of 10) and interview with the PREA Manager confirms this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (g) Carter County Jail will reassess an inmate's risk level when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness. In the past twelve months, Carter County Jail has not had a PREA incident or received any additional information that would trigger a rescreening. This practice was confirmed during an interview with the PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (h) Carter County Jail does not discipline inmates for refusing to answer screening questions or not disclosing complete information. Random inmates confirmed compliance. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (i) Carter County Jail implements appropriate controls on the dissemination of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates. Screenings are considered confidential and forwarded to Medical and the PREA Coordinator for review. Based on policy review, interview with the PREA Coordinator, and interviews with the staff responsible for completing the screening, all information gathered on the screening instrument is restricted to staff making housing, work and program assignments. Screening documents are secured in the Medical Office and the PREA Coordinator's Office. Reassessments are secured in the PREA Coordinators Office. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.42: Use of screening information

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.42 (a)

- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments? ☒ Yes ☐ No
- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments? ☒ Yes ☐ No
- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments? ☒ Yes ☐ No
- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments? ☒ Yes ☐ No

- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments? ☒ Yes ☐ No

115.42 (b)

- Does the agency make individualized determinations about how to ensure the safety of each inmate? ☒ Yes ☐ No

115.42 (c)

- When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)? ☒ Yes ☐ No
- When making housing or other program assignments for transgender or intersex inmates, does the agency consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems? ☒ Yes ☐ No

115.42 (d)

- Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate? ☒ Yes ☐ No

115.42 (e)

- Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments? ☒ Yes ☐ No

115.42 (f)

- Are transgender and intersex inmates given the opportunity to shower separately from other inmates? ☒ Yes ☐ No

115.42 (g)

- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? ☒ Yes ☐ No
- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay,

bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? ☒ Yes ☐ No

- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

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

B. Interviews

1. **LGBTI**
2. **Screening Staff**
3. **PREA Coordinator**

The following delineates the audit findings regarding this standard:

115.42 (a) Policy 500.03 (page 18) details Carter County Jail's uses information from the risk screening to decide housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive. During the site review, the auditor randomly reviewed housing and programming for screened inmates; there currently is no formal way of maintaining a list of those inmates at risk of victimization and those at risk of abusiveness.

Corrective Action:

Utilize the existing Jail Management System to enter in alerts for inmates at risk of victimization and inmates at risk of abusiveness. Policy 500.03 should be revised illustrating this procedure. All staff responsible for cell movements must be trained on this process.

Response to Corrective Action:

The PREA Manager reviews all PREA screening; alert for aggressiveness and alerts for victimization are entered into the existing Jail Management System to enter in alerts for inmates at risk of victimization and inmates at risk of abusiveness. The PREA Manager ensures all referrals to mental health are completed. Records review showed four out of four inmates were properly referred. Policy 500.03 has been revised illustrating this procedure. All staff responsible for cell movements reviewed the policy and acknowledged the revision. Therefore, the facility does demonstrate compliance with this part of the standard during this audit.

115.42 (b) Carter County Jail makes individualized determinations about how to ensure the safety of each inmate. This was corroborated during an interview with the PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (c) Carter County Jail outlines the procedures to be followed in deciding whether to assign a transgender inmate to a facility for male or female inmates, and the process for making housing and programming assignments, on case by case basis as required by this standard. At the time of the audit, Carter County Jail did not have any transgender inmates. Based on interview with the LBGTI inmate housed at this facility the inmate confirmed feeling safe at the facility and felt staff considered the inmate's safety when making housing and programming assignments. At the time of the audit, Carter County Jail did not have a way to formally document this process. Based on interview with the LBGTI inmate housed at this facility the inmate confirmed feeling safe at the facility and felt staff considered the inmate's safety when making housing and programming assignments.

Corrective Action:

A PREA Housing and Programs Review Form developed and included in Policy 500.03 for all transgender inmates by members of the Sexual Assault Response Team.

Response to Corrective Action:

The Carter County Jail has developed and implemented a Housing and Program Review form; this form shall be used anytime a transgender or intersex inmate is booked into the facility. The form is completed by a multi-disciplinary team. Items reviewed include:

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

The multi-disciplinary team documents recommendations for housing, worker status, education opportunities; as well as, programming. At the time of the second site visit, there were no transgender inmates in custody at the Carter County Jail to interview. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.42 (d) Carter County Jail outlines the procedures for placement and programming assignments of each transgender or intersex inmate being reassessed at least twice per year to review any threats to safety experienced by the inmate as required by this standard. Policy 500.03 (page 19) and interview with the PREA Coordinator confirmed this procedure. There were no transgender or

intersex inmates housed in the facility for the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (e) Carter County Jail requires that a transgender and intersex inmate's own views regarding their own safety be given serious consideration. There were no transgender or intersex inmates housed in the facility for the past twelve months. There is no formal way of documenting this process.

Corrective Action:

A PREA Housing and Programs Review Form developed and included in Policy 500.03 for all transgender inmates by members of a multi-disciplinary team.

Response to Corrective Action:

The Carter County Jail has developed and implemented a Housing and Program Review form; this form shall be used anytime a transgender or intersex inmate is booked into the facility. The form is completed by a multi-disciplinary team. Items reviewed include:

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

The multi-disciplinary team documents recommendations for housing, worker status, education opportunities; as well as, programming. There had not been a transgender booked into the Carter County Jail since the initial site visit; therefore at the time of the second site visit, there were no transgender inmates in custody at the Carter County Jail to interview. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.42 (f) Carter County Jail requires that transgender and intersex inmates be given the opportunity to shower separately from other inmates. The LGBTI inmate confirmed during interview with this auditor being given the opportunity to shower separately. However, the inmate also stated that the showers at this facility are covered and allows all inmates privacy. The decision for housing and programs placement for a transgender inmate is documented on the Carter County Jail's "Transgender Housing Assessment" Form. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (g) Carter County Jail does not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates. The auditor's observation during the site review corroborated this procedure; inmates were not found to be placed in any particular housing unit in the facility based on LGBTI related information. This was confirmed during an interview with a LGBTI inmate. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.43: Protective Custody

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.43 (a)

- Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers? ☒ Yes ☐ No
- If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment? ☒ Yes ☐ No

115.43 (b)

- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible? ☒ Yes ☐ No
- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible? ☒ Yes ☐ No
- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible? ☒ Yes ☐ No
- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible? ☒ Yes ☐ No
- If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The opportunities that have been limited? ☒ Yes ☐ No
- If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The duration of the limitation? ☒ Yes ☐ No
- If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The reasons for such limitations? ☒ Yes ☐ No

115.43 (c)

- Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged? ☒ Yes ☐ No
- Does such an assignment not ordinarily exceed a period of 30 days? ☒ Yes ☐ No

115.43 (d)

- If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety? ☒ Yes ☐ No
- If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged? ☒ Yes ☐ No

115.43 (e)

- In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA Policy

B. Interviews

1. Jail Administrator
2. Segregated Housing Staff

The following delineates the audit findings regarding this standard:

115.43 (a) Inmates at high risk for sexual victimization are not placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. The Carter County Jail policy 500.03 (page 20), outlines the procedures to ensure compliance with this standard. Staff and inmate interviews revealed no incidents of involuntary segregated housing being used for this purpose during the past 12 months at this facility; therefore there were no 30 day reviews. The auditor's interview with the Jail Administrator confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.43 (b) Inmates placed in segregated housing for this purpose have access to programs, privileges, education, and work opportunities to the extent possible. If Carter County Jail restricts access to programs, privileges, education, or work opportunities, Carter County Jail documents the opportunities that have been limited, the duration of the limitation; and the reasons for such limitations. Staff and inmate interviews revealed no incidents of involuntary segregated housing being used for this purpose during the past 12 months at this facility; therefore there were no 30 day reviews. Jail Administrator and Segregated Housing Staff interviews revealed no incidents of involuntary segregated housing being used for this purpose during the past 12 months at this facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.43 (c) Policy 500.03 (page 20) details the Carter County Jail assigns such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment does not ordinarily exceed a period of 30 days. Staff and inmate interviews revealed no incidents of involuntary segregated housing being used for this purpose during the past 12 months at this facility; therefore there were no 30 day reviews. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

REPORTING

Standard 115.51: Inmate reporting

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.51 (a)

- Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment? ☒ Yes ☐ No
- Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment? ☒ Yes ☐ No
- Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents? ☒ Yes ☐ No

115.51 (b)

- Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency? ☒ Yes ☐ No
- Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials? ☒ Yes ☐ No
- Does that private entity or office allow the inmate to remain anonymous upon request?
☒ Yes ☐ No

- Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Office of Homeland Security? ☐ Yes ☒ No

115.51 (c)

- Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties? ☒ Yes ☐ No
- Does staff promptly document any verbal reports of sexual abuse and sexual harassment? ☒ Yes ☐ No

115.51 (d)

- Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA Policy

B. Interviews

1. PREA Coordinator
2. Random Staff
3. Random Inmates

C. Other

1. Posters/Handouts
2. Observation During Site Review

The following delineates the audit findings regarding this standard:

115.51 (a) Policy 500.03 (page 21) state the Carter County Jail provides multiple internal ways for inmates to report incidents of abuse or harassment. They include:

1. Verbally or in writing to any staff member
2. By mail, which be forwarded to the PREA Coordinator with respect to any request for anonymity
3. Reporting from the kiosk by either selecting the "PREA ALERT" for emergency situations, or through the Grievance System by clicking "Grievance" the "New Grievance".

Interviews with random staff and inmates corroborate this process. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.51 (b) Carter County Jail provides at least one way for inmates to report abuse or harassment to a public or private entity or Office that is not part of Carter County Jail, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. The Carter County Jail has by Memorandum of Understanding provided the address and phone number for Sexual Assault Center of East Tennessee to the inmates satisfying the requirements of this standard. The external reporting hotline was tested during the site review. The Sexual Assault Center representative confirmed if a call was made by a Carter County Inmate, a notification would be immediately made to the Carter County Jail PREA Coordinator. The representative stated they have not received any such calls from a Carter County Inmate. During the past 12 months, Carter County has not housed an inmate solely for immigration status; provision would be made for the detainee to contact his/her consular. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.51 (c) Carter County Jail policy 500.03 requires all staff to accept reports made verbally, in writing, anonymously and from third parties. During the past 12 months, no reports were made anonymously or by a third party. All allegations shall be promptly documented in memorandum form and reported to the supervisor. Interviews with Random Staff confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.51 (d) Carter County Jail staff may privately report sexual abuse and sexual harassment to the Jail Administrator, a supervisor, PREA Coordinator, or the PREA external telephone number. Interviews with Random Staff confirmed this practice. During the past 12 months, no reports were made anonymously or by a third party. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.52: Exhaustion of administrative remedies

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.52 (a)

- Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse. ☒ Yes ☐ No ☐ NA

115.52 (b)

- Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA
- Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA

115.52 (c)

- Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA
- Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA

115.52 (d)

- Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA
- If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)
☒ Yes ☐ No ☐ NA
- At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA

115.52 (e)

- Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)
☒ Yes ☐ No ☐ NA
- Are those third parties also permitted to file such requests on behalf of inmates? (If a third-party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may

also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA

- If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)
☒ Yes ☐ No ☐ NA

115.52 (f)

- Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA
- After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)
☒ Yes ☐ No ☐ NA
- After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA
- After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)
☒ Yes ☐ No ☐ NA
- Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA
- Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA
- Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA

115.52 (g)

- If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)

☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

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

B. Interviews

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

115.52 (a) Policy 500.03 (pages 24 and 25), the agency investigates any report of sexual abuse and takes appropriate actions whether or not such information is received in the form of a grievance. During the past 12 months, Carter County Jail has not received a grievance concerning sexual abuse. Interview with the Jail Administrator confirms this process. The agency is in compliance with this section of the standard.

115.52 (b) The agency does not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse. Interview with the PREA Coordinator confirms this practice. Therefore, the agency complies with this section of the standard.

115.52 (c) The Carter County Jail policy 500.03, state the agency will ensure that an inmate alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint. During the past 12 months, Carter County Jail has not received a grievance concerning sexual abuse. Additionally, such grievances will not be referred to the staff member who is the subject of the complaint. Therefore, the agency is in compliance.

115.52 (d) According to policy 500.03 (pages 24 and 25), the agency will investigate the matter and render a determination within 90 days. An extension of up to 70 days to issue a determination may be taken if the facts and circumstances require, and the complainant is notified in writing of the extension and the date that a determination will be made. At any level of the administrative process, including the final level, if the complainant does not receive a response within the time allotted for reply, including any properly noticed extension, the inmate complainant may consider the absence of a response to be a denial at this level. During the past 12 months, Carter County Jail has not received a grievance concerning sexual abuse. Interview with the PREA Coordinator reiterates this process; therefore the agency is found to be in compliance with section of the standard.

115.52 (e) Carter County Jail policy 500.03 (page 25), states third parties including fellow inmates, staff members, family members, attorneys and outside advocates, shall be permitted to assist inmates in filing requests for administrative remedies related to allegations of sexual abuse and shall also be permitted to file such requests on behalf of inmates. If the inmate declines to have the request processed on his or her behalf, the agency shall document the inmate's decision. During the past 12 months, Carter County Jail has not received a grievance concerning sexual abuse. The PREA

Coordinator confirmed this process. Therefore, the agency complies with this section of the standard.

115.52 (f) The Carter County Jail policy (page 25) states when an inmate is subject to a substantial risk of imminent threat of sexual abuse, the inmate may file a grievance through the grievance process on the kiosk system and the grievance will be considered an emergency grievance. The initial response to the grievance must be made within 48 hours and the final determination must be made within 5 calendar days, except in circumstances of county holidays and significant events. The agency's immediate focus must be to take action to prevent the potential sexual abuse. Corrective and protective action must be pursued promptly. Policy 500.03 mandates that staff must treat the information as confidential, only to be revealed to their supervisors in the chain-of-command to ensure prompt action is taken. During the past 12 months, Carter County Jail has not received a grievance concerning sexual abuse. Interview with the Jail Administrator confirms this practice; therefore the agency complies with this standard.

Standard 115.53: Inmate access to outside confidential support services

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.53 (a)

- Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations? ☒ Yes ☐ No
- Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies? ☒ Yes ☐ No
- Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible? ☒ Yes ☐ No

115.53 (b)

- Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws? ☒ Yes ☐ No

115.53 (c)

- Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse? ☒ Yes ☐ No

- Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. **Carter County Sheriff's Office Jail PREA Policy**
2. **Memorandum of Understanding**
3. **Posters and Brochures**

B. Interviews

1. **Random Staff**
2. **Inmates who have reported sexual abuse**

The following delineates the audit findings regarding this standard:

115.53 (a) The Carter County Policy 500.03 (pages 22 and 23); details the agency's commitment to compliance. The agency has entered into a Memorandum of Understanding with the Sexual Assault Center of East Tennessee which agrees to provide confidential outside victim advocacies services to the inmates at Carter County Jail. The mailing address and telephone number for this agency are made available to all inmates at the facility. Carter County Jail enables reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible. Carter County does not house inmates solely for immigration purposes. Immigration (ICE) does place holds on inmates with local charges; once the local charge(s) is released – Immigration has 48 hours to pick up the detainee. The services of these victim advocates have not been requested or used by the inmates during this audit cycle, verified by phone call. The auditor observed "No Means No" posters throughout the facility; the posters not only had reporting procedures but included a summation of Victim Support Services with contact numbers and address. Information is also listed on the brochure that each inmate receives during the intake process. At the time of the onsite visit, Carter County Jail did not have any detainees housed for immigration. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.53 (b) Carter County Jail informs inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws. All call to the Sexual Assault Center of East Tennessee are not recorded. The auditor did test the phone system while on site. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.53 (c) Carter County Jail maintains a Memorandum of Understanding with the Sexual Assault Center of East Tennessee; the agency provides emotional support services to victims of sexual abuse. There were not reported incidents of sexual abuse in the past 12 months; there were no alleged victims to interview at the time of the onsite visit.

Corrective Action:

All information given to the inmate (brochures, handouts, kiosk, posters, etc.) should have the exact same information as it pertains to the Sexual Assault Center of East Tennessee with regards to telephone numbers, address and confidentiality clause.

Response to Corrective Action:

The Carter County Jail has updated all brochures, handouts, posters, etc. showing the address and telephone number to the Sexual Assault Center of East Tennessee. A tour during the second site visit confirms this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.54: Third-party reporting

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.54 (a)

- Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment? ☒ Yes ☐ No
- Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA Policy
4. Posters and Brochures

B. Interviews

1. PREA Coordinator

The following delineates the audit findings regarding this standard:

115.54 (a) The Carter County Jail Policy 500.03 (page 22); details the agency's commitment to compliance. The agency provides multiple methods for receiving third-party reports of sexual abuse and sexual harassment; to include, tell friends and family members who may call the jail or mail a letter to report sexual abuse. Third Party Reporting procedures are posted in the lobby of the jail. Inmates are advised of third party reporting on posters that are throughout the facility. The same information is also on the brochure that each inmate receives during the booking process. The information available on the agency's website explains how to report sexual abuse and sexual harassment on behalf of an inmate. The facility takes all reports seriously no matter how they are received and investigates each reported incident. During the past 12 months, Carter County has not received any third party reports of sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

OFFICIAL RESPONSE FOLLOWING AN INMATE REPORT

Standard 115.61: Staff and agency reporting duties

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.61 (a)

- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency? ☒ Yes ☐ No
- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment? ☒ Yes ☐ No
- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation? ☒ Yes ☐ No

115.61 (b)

- Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions? ☒ Yes ☐ No

115.61 (c)

- Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?
☒ Yes ☐ No
- Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services? ☒ Yes ☐ No

115.61 (d)

- If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws? ☒ Yes ☐ No

115.61 (e)

- Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA Policy

B. Interviews

1. Jail Administrator
2. PREA Coordinator
3. Medical and Mental Health Staff
4. Random Staff

The following delineates the audit findings regarding this standard:

115.61 (a) The Carter County Jail Policy 500.03 (pages 23 and 24); 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

Carter County Jail; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (b) Carter County Jail requires apart from reporting to designated supervisors or officials, staff do not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions. Interviews with Random Staff confirmed that staff had received and understood their reporting responsibilities. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (c) Carter County Jail requires medical and mental health practitioners to report sexual abuse immediately to the security staff supervisor. Medical and mental health practitioners are required to inform the inmates of their duty to report, and the limitations of confidentiality, at the initiation of services. During the past 12 months there has not been an incident requiring medical nor mental health practitioners to complete this procedure. This was confirmed during interviews with Frontier Health Services staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (d) If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, Carter County Jail reports the allegation to the designated state or local services agency. During interviews with both the Jail Administrator and PREA Coordinator, each understood that the Office of Children Services would need to be contacted if the alleged victim was under the age of 18. During the past 12 months, Carter County Jail has not housed anyone under the age of 18 or anyone considered a vulnerable adult. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (e) Carter County Jail reports all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the PREA investigator as required. During the past 12 months, Carter County has not received an anonymous or third party report of sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.62: Agency protection duties

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.62 (a)

- When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

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

B. Interviews

1. Jail Administrator
2. Random Staff

The following delineates the audit findings regarding this standard:

115.62 (a) The Carter County Jail Policy 500.03 (page 25); details the agency's commitment to compliance. Policy and staff training requires all staff to take immediate action and staff acknowledged during their interviews the requirement of all staff to protect inmates when it is learned that an inmate at the Carter County Jail is subject to a substantial risk of imminent sexual abuse. Interviews with the Jail Administrator and Random Staff corroborated this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.63: Reporting to other confinement facilities

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.63 (a)

- Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred? ☒ Yes ☐ No

115.63 (b)

- Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation? ☒ Yes ☐ No

115.63 (c)

- Does the agency document that it has provided such notification? ☒ Yes ☐ No

115.63 (d)

- Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA Policy
4. Reporting Documentation

B. Interviews

1. PREA Coordinator

The following delineates the audit findings regarding this standard:

115.63 (a) The Carter County Sheriff's Office PREA Policy 500.03 (page 25); 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 Carter County Jail that received the allegation notifies the head of the facility or appropriate Office where the alleged abuse occurred. This process is documented the agency's notification form - Carter County Sheriff's Office Notification of Alleged Abuse. During the past 12 months, Carter 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, Carter 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 Carter County Jail. During the past 12 months, Carter 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

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.64 (a)

- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?
☒ Yes ☐ No
- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence? ☒ Yes ☐ No
- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence? ☒ Yes ☐ No
- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence? ☒ Yes ☐ No

115.64 (b)

- If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)

☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Evidence Reviewed:

A. Documents

- 1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files**
- 2. PREA Compliance Audit Instrument Checklist**
- 3. Carter County Sheriff's Office Jail PREA 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 Carter County Sheriff's PREA Policy 500.03 (page 26); 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) Carter 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, potential first responders 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

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.65 (a)

- Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA Policy
4. PREA Incident Checklist

B. Interviews

1. PREA Coordinator

The following delineates the audit findings regarding this standard:

115.65 (a) The Carter County Sheriff's Office PREA Policy 500.03 (page 26); details the agency's commitment to compliance. Carter 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 Carter County Sheriff's Office PREA Incident Check Sheet form. Interviews with SART members confirmed their knowledge of the response plan.

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

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.66 (a)

- Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted? ☒ Yes ☐ No

115.66 (b)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA Policy

B. Interviews

1. PREA Coordinator

The following delineates the audit findings regarding this standard:

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

Standard 115.67: Agency protection against retaliation

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.67 (a)

- Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff? ☒ Yes ☐ No
- Has the agency designated which staff members or Offices are charged with monitoring retaliation? ☒ Yes ☐ No

115.67 (b)

- Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations? ☒ Yes ☐ No

115.67 (c)

- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of residents or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff? ☒ Yes ☐ No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff? ☒ Yes ☐ No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation? ☒ Yes ☐ No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports? ☒ Yes ☐ No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes? ☒ Yes ☐ No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes? ☒ Yes ☐ No

- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff? ☒ Yes ☐ No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff? ☒ Yes ☐ No
- Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need? ☒ Yes ☐ No

115.67 (d)

- In the case of inmates, does such monitoring also include periodic status checks? ☒ Yes ☐ No

115.67 (e)

- If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation? ☒ Yes ☐ No

115.67 (f)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

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

B. Interviews

1. Jail Administrator
2. Retaliation Monitor

The following delineates the audit findings regarding this standard:

115.67 (a) The Carter County Sheriff's Office PREA Policy (page 28); details the agency's commitment to compliance. Carter 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 Offices are charged with monitoring retaliation. Carter 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) Carter 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. Carter 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, Carter 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. Carter 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. Carter 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, Carter County Jail takes appropriate measures to protect that individual against retaliation. The Retaliation Form has detailed information for all relevant notifications; if needed. Carter 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

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.68 (a)

- Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA Policy

B. Interviews

1. PREA Coordinator
2. Segregated Housing Staff

The following delineates the audit findings regarding this standard:

115.68 (a) The Carter County Sheriff's Office PREA Policy 500.03 (page 28); details the agency's commitment to compliance. Carter County Jail prohibits offenders who have alleged sexual abuse to be placed in involuntary segregated housing. Interviews with the facility administration and segregation staff revealed that involuntary segregation has not been used for this purpose in the past 12 months; therefore, there were not any subsequent monitoring documentation. The PREA 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.

INVESTIGATIONS

Standard 115.71: Criminal and administrative agency investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.71 (a)

- When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? [N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).] ☒ Yes ☐ No ☐ NA

- Does the agency conduct such investigations for all allegations, including third party and anonymous reports? [N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).] ☒ Yes ☐ No ☐ NA

115.71 (b)

- Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34? ☒ Yes ☐ No

115.71 (c)

- Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data? ☒ Yes ☐ No
- Do investigators interview alleged victims, suspected perpetrators, and witnesses?
☒ Yes ☐ No
- Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator? ☒ Yes ☐ No

115.71 (d)

- When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution? ☒ Yes ☐ No

115.71 (e)

- Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff? ☒ Yes ☐ No
- Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding? ☒ Yes ☐ No

115.71 (f)

- Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse? ☒ Yes ☐ No
- Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings? ☒ Yes ☐ No

115.71 (g)

- Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible? ☒ Yes ☐ No

115.71 (h)

- Are all substantiated allegations of conduct that appears to be criminal referred for prosecution? ☒ Yes ☐ No

115.71 (i)

- Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years? ☒ Yes ☐ No

115.71 (j)

- Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation? ☒ Yes ☐ No

115.71 (k)

- Auditor is not required to audit this provision.

115.71 (l)

- When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).) ☒ Yes ☐ No ☐ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA 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 Carter County Sheriff's Jail PREA Policy 500.03(pages 28 and 29); details the agency's commitment to compliance. Carter County Jail PREA investigator conducts an investigation immediately when notified of an allegation of sexual abuse and sexual harassment. There were seven PREA incidents reported in the past twelve months; all investigative files to review. Policy does mandate:

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

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

115.71 (b) Carter County PREA investigators have not received the specialized training as required 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, Carter County Jail has not had any PREA investigations. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Corrective Action:

All Carter County PREA Investigators must complete specialized PREA training as it pertains to sexual assault investigations in a confinement setting.

Response to Corrective Action:

The PREA Investigator completed the NIC Certification – PREA – Investigating Sexual Abuse in Confinement Setting. The certificate date is 01/09/18. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.71 (c) Carter 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. In the past 12 months, Carter County Jail has had seven PREA investigations. The auditor reviewed each case file and found that all investigations were conducted by PREA guidelines. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (d) When the quality of evidence appears to support criminal prosecution, Carter County Jail refers the case to the Carter County District Attorney's Office for prosecution. In the past 12 months, Carter 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, Carter County Jail has seven PREA investigations; three of which were related to sexual abuse allegations. The auditor reviewed each case file and found that all investigations were conducted by PREA guidelines. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (f) Carter 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, Carter County Jail has had seven PREA investigations. The auditor reviewed each case file and found that all investigations were conducted by PREA guidelines. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (g) Carter County Jail criminal investigations are documented by the Carter County Sheriff's Office 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, Carter County Jail has had seven PREA investigations; therefore, t. The auditor reviewed each case file and found that all investigations were conducted by PREA guidelines. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (h) Carter County Jail refers all allegations to the Carter County Sheriff's Office PREA Investigator for investigation and prosecution when warranted. In the past 12 months, Carter County Jail has had seven PREA investigations. The auditor reviewed each case file and found that all investigations were conducted by PREA guidelines. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (i) Carter County Jail retains all written reports for as long as the alleged abuser is incarcerated or employed by Carter 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 Carter County Jail or agency does not provide a basis for terminating an investigation. In the past 12 months, Carter County Jail has had seven PREA investigations. The auditor reviewed each case file and found that all investigations were conducted by PREA guidelines. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (k) The Carter County Sheriff's Office PREA Investigator conducts criminal sexual abuse investigations pursuant to the requirements of this standard. Carter County Jail policy 500.03 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) Carter County Jail refers all criminal cases to the Carter County Sheriff's Office PREA Investigator. By policy, the facility remains informed of the progress of the investigation through communication between the Carter County District Attorney's Office and the Carter County Sheriff's Office PREA Investigator agent handling the case. In the past 12 months, Carter County Jail has not referred any PREA investigation for prosecution. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.72: Evidentiary standard for administrative investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.72 (a)

- Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA Policy
4. Evidentiary Standard

B. Interviews

1. PREA Investigator

The following delineates the audit findings regarding this standard:

The Carter County Sheriff's Jail PREA Policy 500.03 (page 30); details the agency's commitment to compliance. Carter 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, Carter County Jail has had seven PREA investigations. The auditor reviewed each case file and found that all investigations were conducted by PREA guidelines. Interview with the PREA Investigator corroborated this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.73: Reporting to inmates

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.73 (a)

- Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded? ☒ Yes ☐ No

115.73 (b)

- If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.) ☒ Yes ☐ No ☐ NA

115.73 (c)

- Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit? ☒ Yes ☐ No
- Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility? ☒ Yes ☐ No
- Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility? ☒ Yes ☐ No
- Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility? ☒ Yes ☐ No

115.73 (d)

- Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?
☒ Yes ☐ No
- Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?
☒ Yes ☐ No

115.73 (e)

- Does the agency document all such notifications or attempted notifications? ☒ Yes ☐ No

115.73 (f)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA 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 Carter County Sheriff's PREA Jail Policy (pages 30 and 31); details the agency's commitment to compliance. Based on Carter 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 Carter 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, Carter County Jail has had seven PREA investigations: appropriate notifications were made for each investigation. Carter County documents such notifications on the "Inmate PREA Allegation Status Notification Form". 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 Carter 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 Carter County Jail; or
- (4) The agency learns that the staff member has been convicted on a charge related to sexual abuse within the Carter County Jail

The documentation provided confirmed the inmates would be provided this notification on the Carter 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, Carter 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 Carter 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 Carter County Jail Inmate PREA Allegation Status Notification Form. In the past 12 months, Carter County Jail has had seven PREA investigations: appropriate notifications were made for each investigation. 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 Carter County Jail Inmate PREA Allegation Status Notification Form. In the past 12 months, Carter County Jail has had seven PREA investigations: appropriate notifications were made for each investigation. 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 Carter County Jail's custody. In the past 12 months, Carter County Jail has had seven PREA investigations; appropriate notifications were made for each investigation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

DISCIPLINE

Standard 115.76: Disciplinary sanctions for staff

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.76 (a)

- Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies? ☒ Yes ☐ No

115.76 (b)

- Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse? ☒ Yes ☐ No

115.76 (c)

- Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories? ☒ Yes ☐ No

115.76 (d)

- Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies (unless the activity was clearly not criminal)? ☒ Yes ☐ No
- Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA Policy

B. Interviews

1. Jail Administrator

The following delineates the audit findings regarding this standard:

115.76 The Carter County Sheriff's Jail PREA Policy 500.03 (page 31); 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

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.77 (a)

- Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates? ☒ Yes ☐ No
- Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)? ☒ Yes ☐ No

- Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies? ☒ Yes ☐ No

115.77 (b)

- In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA Policy

B. Interviews

1. Jail Administrator
2. PREA Coordinator

The following delineates the audit findings regarding this standard:

115.77 (a) The Carter County Sheriff's Jail PREA Policy (page 31); 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) Carter 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

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.78 (a)

- Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process? ☒ Yes ☐ No

115.78 (b)

- Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories? ☒ Yes ☐ No

115.78 (c)

- When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior? ☒ Yes ☐ No

115.78 (d)

- If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits? ☒ Yes ☐ No

115.78 (e)

- Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact? ☒ Yes ☐ No

115.78 (f)

- For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation? ☒ Yes ☐ No

115.78 (g)

- Does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)
☒ Yes ☐ No ☐ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

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

B. Interviews

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

The following delineates the audit findings regarding this standard:

115.78 (a) The Carter County Sheriff's Jail PREA Policy 500.03 (page 32); 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 been one substantiated sexual harassment inmate on inmate finding. The aggressor in the incident did receive in-house disciplinary infraction. 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, Carter 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) Carter 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) Carter 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.

MEDICAL AND MENTAL CARE

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

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.81 (a)

- If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? ☒ Yes ☐ No

115.81 (b)

- If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.) ☐ Yes ☐ No ☒ NA

115.81 (c)

- If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? ☒ Yes ☐ No

115.81 (d)

- Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?
☒ Yes ☐ No

115.81 (e)

- Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA 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 Carter County Sheriff's Office and Jail PREA Policy 500.03 (pages 32 and 33); 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 Intake staff at the Carter 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. Carter 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. There is not a clear handshake between Intake and Medical. Therefore, the facility demonstrated does not compliance with this part of the standard during this audit.

Corrective Action:

- Develop an official referral process based on specifics from the PREA Screening performed in Intake.
- Layout the referral process in the policy (pages 32 and 33)

Response to Corrective Action:

It is the policy of the Carter County Jail that the PREA Manager reviews all PREA screenings. The PREA Manager makes the appropriate electronic notifications/referrals to the Mental Health provider. Interview with the PREA Manager confirms this process. Four random records were reviewed; all were properly referred. The Carter County Jail has a contract with Southern Health Partners for Mental Health services. 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 Carter 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. There is not a clear handshake between Intake and Medical.

Corrective Action:

- Develop an official referral process based on specifics from the PREA Screening performed in Intake.
- Layout the referral process in the policy (pages 32 and 33)

Response to Corrective Action:

It is the policy of the Carter County Jail that the PREA Manager reviews all PREA screenings. The PREA Manager makes the appropriate electronic notifications/referrals to the Mental Health provider. Interview with the PREA Manager confirms this process. Four random records were reviewed; all were properly referred. The Carter County Jail has a contract with Southern Health Partners for Mental Health services. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.81 (d) Carter 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) Carter 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 Carter County Jail has not housed an inmate under the age of 18 in the past 12 months. Carter County does have Consent Form in place, if ever needed. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.82: Access to emergency medical and mental health services

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.82 (a)

- Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?
☒ Yes ☐ No

115.82 (b)

- If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62? ☒ Yes ☐ No
- Do security staff first responders immediately notify the appropriate medical and mental health practitioners? ☒ Yes ☐ No

115.82 (c)

- Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate? ☒ Yes ☐ No

115.82 (d)

- Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?
☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)

☐ **Does Not Meet Standard** *(Requires Corrective Action)*

Evidence Reviewed:

A. Documents

- 1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files**
- 2. PREA Compliance Audit Instrument Checklist**
- 3. Carter County Sheriff's Office Jail PREA 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 Carter County Sheriff's Office and Jail PREA Policy 500.03 (page 34); details the agency's commitment to compliance. (a) Carter 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) Carter 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 Carter County Jail that were in need of these services.. This practice was corroborated through an interview with the medical staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.82 (c) The Carter County Sheriff's PREA Policy 500.03 (page 33)); details the agency's commitment to compliance. Carter 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 Carter County Jail that were in need of these services. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.82 (d) Carter 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 Carter County Jail that were in need of these services. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

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

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.83 (a)

- Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility? ☒ Yes ☐ No

115.83 (b)

- Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody? ☒ Yes ☐ No

115.83 (c)

- Does the facility provide such victims with medical and mental health services consistent with the community level of care? ☒ Yes ☐ No

115.83 (d)

- Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if all-male facility.) ☒ Yes ☐ No ☐ NA

115.83 (e)

- If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if all-male facility.) ☒ Yes ☐ No ☐ NA

115.83 (f)

- Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate? ☒ Yes ☐ No

115.83 (g)

- Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident? ☒ Yes ☐ No

115.83 (h)

- If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)
☐ Yes ☐ No ☒ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA 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 Carter County Sheriff's PREA Policy 500.03 (page 34); details the agency's commitment to compliance. Carter 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. The contract agency's schedule needs to be better defined.

Corrective Action:

- Ensure the contract for mental health services are being met.

Response to Corrective Action:

Southern Health Partners has provided the Carter County Jail with a schedule for mental health services.

Records review showed the schedule was being followed. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (b) Carter 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. The contract agency's schedule needs to be better defined.

Corrective Action:

- Ensure the contract for mental health services are being met.

Response to Corrective Action:

Southern Health Partners has provided the Carter County Jail with a schedule for mental health services.

Records review showed the schedule was being followed. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (c) Carter 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. The contract agency's schedule needs to be better defined.

Corrective Action:

- Ensure the contract for mental health services are being met.

Response to Corrective Action:

Southern Health Partners has provided the Carter County Jail with a schedule for mental health services.

Records review showed the schedule was being followed. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (d and e) Based on Carter 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) Carter 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) Carter 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) Carter County Jail is exempt from this section of the standard. (Prisons Only)

DATA COLLECTION AND REVIEW

Standard 115.86: Sexual abuse incident reviews

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.86 (a)

- Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded? ☒ Yes ☐ No

115.86 (b)

- Does such review ordinarily occur within 30 days of the conclusion of the investigation? ☒ Yes ☐ No

115.86 (c)

- Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners? ☒ Yes ☐ No

115.86 (d)

- Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse? ☒ Yes ☐ No
- Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility? ☒ Yes ☐ No
- Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse? ☒ Yes ☐ No
- Does the review team: Assess the adequacy of staffing levels in that area during different shifts? ☒ Yes ☐ No
- Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff? ☒ Yes ☐ No
- Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1) - (d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager? ☒ Yes ☐ No

115.86 (e)

- Does the facility implement the recommendations for improvement, or document its reasons for not doing so? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA 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) Carter 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 Carter County Sheriff's Office Sexual Abuse Incident Review Report. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.86 (b) Carter 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 Carter 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 one reported victims of sexual abuse at the Carter County Jail; the Sexual Abuse Incident Review Report was

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

115.86 (d) The review team considers whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility; and they examine the area in Carter 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 Carter County Sheriff's Office Sexual Abuse Incident Review Report. Therefore, the facility exceeds the intent of this part of the standard.

115.86 (e) Carter 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 one reported victims of sexual abuse at the Carter County Jail; the Sexual Abuse Incident Review Report was properly completed for the incident. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.87: Data collection

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.87 (a)

- Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions? ☒ Yes ☐ No

115.87 (b)

- Does the agency aggregate the incident-based sexual abuse data at least annually? ☒ Yes ☐ No

115.87 (c)

- Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Office of Justice? ☒ Yes ☐ No

115.87 (d)

- Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?
☒ Yes ☐ No

115.87 (e)

- Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.) ☐ Yes ☐ No ☒ NA

115.87 (f)

- Does the agency, upon request, provide all such data from the previous calendar year to the Office of Justice no later than June 30? (N/A if DOJ has not requested agency data.) ☐
Yes ☐ No ☒ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA 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 Carter County Sheriff's PREA Policy 500.03 (page 35); details the agency's commitment to compliance. (a), (b) and (c) Carter 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 should aggregate the incident-based sexual abuse data at least annually. The agency as has completed an annual report as of the date of the interim report..

Corrective Action:

Complete an Annual Report

Response to Corrective Action:

The Carter County Jail has completed an Annual PREA Report for the calendar year 2017. Therefore, the facility does 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 Office 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) Carter 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) Carter 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, Carter County Jail provides all such data from the previous calendar year to the Office 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**All Yes/No Questions Must Be Answered by the Auditor to Complete the Report****115.88 (a)**

- Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas? ☒ Yes ☐ No
- Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis? ☒ Yes ☐ No
- Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole? ☒ Yes ☐ No

115.88 (b)

- Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse ☒ Yes ☐ No

115.88 (c)

- Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means? ☒ Yes ☐ No

115.88 (d)

- Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA Policy
4. Annual Report

B. Interviews

1. Jail Administrator
2. PREA Coordinator

The following delineates the audit findings regarding this standard:

115.88 (a) The Carter County Sheriff's Office and Jail PREA Policy 500.03 (page 36); details the agency's commitment to compliance. Carter 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 Carter County Jail as a whole. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.88 (b) Such reports should include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of Carter County Jail's progress in addressing sexual abuse. The agency needs to generate an annual PREA report. Therefore, the facility does not demonstrated compliance with this part of the standard during this audit.

Corrective Action:

- Complete an Annual Report

Response to Corrective Action:

115.88 (c) Carter County Jail's report was approved by the Sheriff and made readily available to the public by posting on the agency's website or in the lobby of the facility.

Corrective Action:

- Complete an Annual Report
- Post PREA Annual Report on agency's website or in the lobby of the facility.

Response to Corrective Action:

The Carter County Jail has completed an Annual PREA Report for the calendar year 2017. The annual report was approved by the Sheriff and place in the lobby of the facility for public viewing. Therefore, the facility does demonstrated compliance with this part of the standard during this audit.

115.88 (d) Carter 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.

Corrective Action:

- Complete an Annual Report

Response to Corrective Action:

The Carter County Jail has completed an Annual PREA Report for the calendar year 2017. Therefore, the facility does demonstrated compliance with this part of the standard during this audit

Standard 115.89: Data storage, publication, and destruction

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.89 (a)

- Does the agency ensure that data collected pursuant to § 115.87 are securely retained?
☒ Yes ☐ No

115.89 (b)

- Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means? ☒ Yes ☐ No

115.89 (c)

- Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available? ☒ Yes ☐ No

115.89 (d)

- Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Evidence Reviewed:

A. Documents

1. Carter County Sheriff's Office Pre-Audit Questionnaire/Audit Files
2. PREA Compliance Audit Instrument Checklist
3. Carter County Sheriff's Office Jail PREA Policy

B. Interviews

1. PREA Coordinator

The following delineates the audit findings regarding this standard:

115.89 The Carter County Sheriff's PREA Policy 500.03 (page 36); details the agency's commitment to compliance. (a) through (d) Carter County Jail PREA Coordinator should make all aggregated sexual abuse data readily available to the public at least annually by posting on the agency's website.

Corrective Action:

- Post PREA Annual Report on the agency's website.

Response to Corrective Action:

The agency's annual report has been posted in the lobby of the jail for public viewing.

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

AUDITING AND CORRECTIVE ACTION

Standard 115.401: Frequency and scope of audits

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.401 (a)

- During the three-year period starting on August 20, 2013, and during each three-year period thereafter, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (N/A before August 20, 2016.)
☐ Yes ☐ No ☒ NA

115.401 (b)

- During each one-year period starting on August 20, 2013, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited? ☒ Yes ☐ No

115.401 (h)

- Did the auditor have access to, and the ability to observe, all areas of the audited facility?
☒ Yes ☐ No

115.401 (i)

- Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)? ☒ Yes ☐ No

115.401 (m)

- Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?
☒ Yes ☐ No

115.401 (n)

- Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

115.401 (a) and (b) The Carter County Sheriff's Office did not have a PREA audit at either facility during the first audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.401 (h) The auditor has full access to all location/areas of each Carter County Correctional Facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.401 (i) The auditor did obtain all necessary copies of audit items. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.401 (m) The auditor was allowed to interview inmates in a private setting. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.401 (n) The auditor did not receive any correspondence from any Carter County inmates. Audit notices were observed in every housing unit; as well as all common areas. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.403: Audit contents and findings

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.403 (f)

- The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports within 90 days of issuance by auditor. The review period is for prior audits completed during the past three years PRECEDING THIS AGENCY AUDIT. In the case of single facility agencies, the auditor shall ensure that the facility's last audit report was published. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued

in the past three years, or in the case of single facility agencies that there has never been a Final Audit Report issued.) ☐ Yes ☐ No ☒ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

115.403 Carter County Sheriff's Office has not had a PREA audit until this audit cycle. 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.

Auditor Instructions:

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

Brian D. Bivens

March 22, 2018

Auditor Signature

Date

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

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