

PREA AUDIT REPORT Interim Final
ADULT PRISONS & JAILS

Date of report: 12-13-17

Auditor Information			
Auditor name: Kevin Boldt K Boldt LLC			
Address: PO Box 278 Gilbertville, IA 50634			
Email: Kboldtllc@gmail.com			
Telephone number: 319-240-1022			
Date of facility visit: June 13-14, 2017			
Facility Information			
Facility name: Sioux County Jail			
Facility physical address: 4363 Ironwood Ave., Orange City, IA 51041			
Facility mailing address: <i>(if different from above)</i> Click here to enter text.			
Facility telephone number: 712-737-2280			
The facility is:	<input type="checkbox"/> Federal	<input type="checkbox"/> State	<input checked="" type="checkbox"/> County
	<input type="checkbox"/> Military	<input type="checkbox"/> Municipal	<input type="checkbox"/> Private for profit
	<input type="checkbox"/> Private not for profit		
Facility type:	<input type="checkbox"/> Prison	<input checked="" type="checkbox"/> Jail	
Name of facility's Chief Executive Officer: Dan Altena			
Number of staff assigned to the facility in the last 12 months: 22			
Designed facility capacity: 67			
Current population of facility: 16			
Facility security levels/inmate custody levels: General Population, Maximum Security and Special Status			
Age range of the population: 18-70			
Name of PREA Compliance Manager: Click here to enter text.		Title: Click here to enter text.	
Email address: Click here to enter text.		Telephone number:	
Agency Information			
Name of agency: Sioux County Sheriff's Office			
Governing authority or parent agency: <i>(if applicable)</i> Click here to enter text.			
Physical address: 4363 Ironwood Ave., Orange City, IA 51041			
Mailing address: <i>(if different from above)</i> Click here to enter text.			
Telephone number: 712-737-2280			
Agency Chief Executive Officer			
Name: Dan Altena		Title: Sheriff	
Email address: Dana@siouxcounty.org		Telephone number: 712-737-2280	
Agency-Wide PREA Coordinator			
Name: Judy Plendl		Title: Jail Commander	
Email address: judyp@siouxcounty.org		Telephone number: 712-737-2280	

AUDIT FINDINGS

NARRATIVE

The Prison Rape Elimination Act Audit (PREA) on site audit for the Sioux County Jail Facility, Orange City, Iowa was conducted on June 13-14, 2017 by Department of Justice PREA Certified Auditor Kevin Boldt of K. Boldt LLC, Gilbertville, IA.

Pre-audit preparation began on April 18, 2017 upon receiving the Pre-Audit Questionnaire via e-mail and a mailed packet of documentation and materials submitted by the Sioux County Jail Facility PREA Coordinator Judy Plendl. Information reviewed included the Pre-Audit Questionnaire, agency policies, procedures, forms, education materials, training documentation, organizational charts, posters, brochures, Sioux County Sheriff and Jail web site and other PREA related materials that were provided to demonstrate compliance with the PREA standards.

This material was reviewed and a series of questions and recommendations were submitted to PREA Coordinator Plendl to prepare for compliance to the PREA Standards. The PREA Coordinator was able to send some of the requested information and material prior to the on-site audit for review and other material was presented during the audit.

During the review and preparation of the Sioux County Jail Facility (SCJF) Audit, the Sioux County Sheriff's Office Web site was researched. Information obtained on this web site included:

Mission Statement: "The Sioux County Sheriff's Office is committed to maintaining the public's trust, providing protection, and professional leadership, by utilizing our skills and resources with integrity."

Contact information to report criminal activity or to ask a question.

Texting information to leave anonymous tips or reporting of crimes.

Multiple links for support services throughout the community.

The Sioux County Jail information including PREA Zero Tolerance Policy, Reporting procedures and supporting agency phone numbers and addresses.

PREA Coordinator Plendl was sent a PREA Audit Posting on April 25 to advise staff and inmates of the June 13-14, 2017 on site audit. This was posted throughout the jail on April 26, 2017 and was confirmed via e-mail conversation and observation during the audit tour, inmate interviews also confirmed the posting date.

This auditor arrived at the Sioux County Jail Facility on June 13, 2017 and observed pamphlets in the lobby which offered information and options to the public for reporting purposes. This auditor observed the Sioux County PREA Zero Tolerance and reporting postings for the public to view. Included in the lobby information pamphlets were mental health, support groups and victim notification for the public to take at will.

The Sioux County Jail Facility (SCJF) Jail Commander / PREA Coordinator Judy Plendl was introduced and escorted the auditor to a secured conference room that would be used as the interview area for staff. The auditor had requested several items including training information, schedules, inmate rosters and other documentation needed to conduct the on-site audit. This information was prepared and available for the on-site audit to begin.

PREA Coordinator Plendl was advised that a short introduction and informational meeting would be requested with the Sheriff, Jail Administrator, PREA Coordinator and any other administrative staff that would like to attend. After a short meeting with Jail Commander Plendl and receiving the requested documents the informational meeting with administration was held.

Sheriff Dan Altena, Jail Commander (JC)/ PREA Coordinator Plendl, Investigator Lt. Jason Bergsma, Sgt. Charlie Dibbet and Sgt. Antonio Mora were present and advised of the audit procedure. They were informed of the audit process and advised I would be interviewing each of them at some time during the two day audit. Arrangements were made with their schedules for the interviews. The other staff interviews would all be scheduled and available during their normal working hours over the two days, a staff schedule was produced to accommodate the interviews.

JC Plendl escorted the auditor through the secured area of the jail where observations were made of the building layout, design, camera positions, CCTV monitors, shower and toilet facilities, information postings, intake, change out and searching areas, staff interaction, inmate movements, program areas and medical facilities.

This auditor was introduced to staff and, after the guided tour of the facility, was given access to the jail for the purpose of observing staff and inmates, reviewing material, and conducting informal staff interviews.

During the tour of the Intake area, ten inmate files were randomly selected with documentation of PREA zero tolerance policy, comprehensive PREA training video form, PREA refresher and Risk Screening forms all signed confirming all had been made aware of the PREA Audit Report

zero tolerance policy upon booking and documentation they received training of the PREA.

At the beginning of the audit, there were thirteen (13) inmates being held at the SCJF. During the two day audit, there were ten (10) inmates selected for interviews. These interviews were conducted in the secure room in the Intake area. Staff was given a list of inmates to escort to the interview and when the interview was completed, staff would be outside of the interview room and remove the inmate then escort another to the interview. Inmates were secured in cuffs and belly chains by staff prior to being brought to the interview. This is the common practice when escorting inmates at the SCJF.

This random sample of inmates included inmates from every housing unit in the facility. Interviews with inmates were conducted using the DOJ PREA protocol questions. All inmates confirmed they had been given information on the Zero Tolerance Policy and how to report at booking. They stated they were shown the PREA informational video twice each week after being placed in their pod or housing unit. They also stated the information is posted on the pod walls. They were also aware of the PREA Audit dates as this information had been posted for several weeks prior to the audit visit.

Inmate interviews included adult male and adult female, general population and one on administrative segregation. There were no youthful inmates or inmates that had reported any sexual assault or sexual harassment and no inmates that identified themselves as believing they were vulnerable or identifying as LGBTI.

The interviews were completed on day two of the on site audit. By the second day, there were ten (10) inmates in custody, nine (9) of the inmates selected had been interviewed. The last inmate to be interviewed advised staff they did not wish to participate in the interview.

There were 12 staff members interviewed during this on site audit. Interviews included line staff, supervisory staff, mental health, volunteers, contractors and investigators. These interviews were conducted in the conference room assigned for the audit. All staff stated they were familiar with the Sioux County Jail Policy Manual, they have been trained on these policies and policies are complied with.

All jail staff at the SCJF provide multiple services in the jail and were asked many of the protocol questions that included, screening, intake, and random question list. Because Sioux County jail staff are responsible for the many jobs within the jail, they are trained on all aspects of the jail security and do not specialize in any one area. These staff members also rotate scheduling times and will be assigned both day and night shift responsibilities.

The staff were all aware of the zero tolerance policy, reporting and response duties. They have completed training both for the Sioux County Jail and the Iowa Law Enforcement Academy mandatory jail training.

The SCJF Investigator is a Lieutenant for the Sioux County Sheriff's Office. He is used for multiple criminal investigations and will be assigned to sexual abuse or harassment investigations at the SCJF. He has an extensive background in investigations and training of crime scene investigation and interviewing. He stated he is responsible to investigate all allegations of sexual abuse or harassment to conclusion and would work with the Sioux County Attorney for advice or opinions. If needed, he will cooperate with any outside agency that may be used to investigate any sexual abuse or sexual harassment at the SCJF.

The investigator has been trained in all aspects of the PREA Standards for investigations along with his training as a Sioux County Sheriff's Office Investigator. He has completed the investigative module training as presented by the PREA Resource Training.

Administration was interviewed regarding the training, record keeping and policies. The Sioux County Sheriff has promoted training and PREA Standard compliance for all his staff, this includes making policy changes to become PREA compliant, assigning a PREA Coordinator and making time available for all to train and perform their duties. Sheriff Altana has made PREA compliance a priority and understands the importance of keeping inmates safe while also supporting training to staff.

PREA Coordinator Plendl was also interviewed about the training, records and policy. Plendl has been leading the agency by updating policy, training staff and researching for the implementation of becoming PREA compliant.

This auditor was given access to all areas of the jail to conduct the on-site audit, the administration and line staff were all welcoming and offered information and assistance whenever requested. The Sioux County Jail Staff were all very professional and wanted to accommodate this auditor in any aspect of the audit. The staff were all open about the facility and implementation of the PREA changes and were truly concerned they were doing everything right to become compliant.

It was obvious to this auditor that the implementation and training has been promoted in a positive manner by the administration and has been fully accepted by all staff.

At the end of the audit site visit, a meeting was held with PREA Coordinator Plendl and Inv. Lt. Bergsma. There were areas of concern that were observed during the on site audit that were discussed and the need for corrective action, this included posting of the PREA information in Spanish to the public in the lobby. This was immediately remedied prior to the end of on site visit by JC Plendl posting this information.

The SCJF does not employ any medical staff but instead transports all inmates requesting medical care to the Orange City Hospital. This auditor was not able to confirm the 14 day counselling requirement of 115.81. The corrective action needed would be to place an event into

the calendar for a counselling to occur within the 14 day requirement. (See 115.81 for details.) PREA Coordinator Plendl was advised of this needed change and would be updating policy and training for staff to enter a notification for inmates to be offered the counselling within the 14 day requirement. This information would then be documented.

This auditor advised a report would be completed within the thirty days as required and the 180 day corrective action period would begin, during this time, the corrective actions could be addressed by the PREA Coordinator and administration. Each area of corrective action needed is addressed and can be seen in detail in the specific PREA Standard within this report.

DESCRIPTION OF FACILITY CHARACTERISTICS

The Sioux County Jail Facility was built and opened in 2003, it contains the Sioux County Sheriff's Offices, Jail, Dispatch and Emergency Management Office.

The Sioux County Jail is a 67 bed podular remote facility that contains 6 housing units.

A-Pod houses females with a maximum capacity of 6

B-Pod houses female work release with a capacity of 8

C-Pod is used as a pre-sentencing pod with a capacity of 16

D-pod is used for federal inmates with a capacity of 16

E-Pod is used for sentenced inmates with a capacity of 8

F-Pod is used to house inmates that may need separation and has a capacity of 6

Each of these pods are designed with 2 bunks in each cell. There is a common day room that has single person showers both on the lower and upper levels. These showers have ample space for inmates to change and cannot be seen in states of undress.

There is one padded room used for high risk inmates.

The intake is designed with two holding cells

The jail has an inmate recreational area, medical room, booking room.

The jail also has a control room, laundry room, kitchen and storage which are locked and off limits to inmates.

The Sioux County Jail's central control room is surrounded by glass that allows observation of all the housing units. The staff that is assigned to the Control Room also is responsible for monitoring the CCTV monitors, performing security checks, booking and release of inmates.

The SCJF has also just recently undergone an upgrade in the CCTV system. This upgrade included more cameras with the multiple areas of the jail covered. There were no blind spots anywhere that inmates could be in during their movement through the facility or while in the day rooms. All camera angles prevented viewing by staff of inmates in states of undress or while using showers or toilet facilities.

The SCJF is inspected annually by the Iowa State Jail Inspector and must follow the Iowa Code 201.50 Jail Standards. These standards include Physical Building requirements, training requirements, policy and procedures, visitation, communication and multiple other areas requiring inspection under Iowa Code. The Sioux County Jail has recently passed the Iowa State Jail Inspection and this auditor was given a copy of the 2017 State Jail Inspection report.

The jail has an indoor exercise room that is shared by all inmates. Male and female inmates are kept separate and cannot be in view of each other at any time. Inmates are escorted by staff whenever out of the housing units.

The staff monitors the cameras 24 hours per day and a staff member is required to be in the control room at all times. This staff member controls the doors and admittance to the jail.

There is a designated medical exam room that is kept secure when medical staff is not on the premises.

The intake area is staffed only during a book in and this area is monitored by CCTV for security reasons.

The intake area has a changing room, shower area and intoxicilyzer room. The intake area also holds the inmate files and is off limits to everyone but security staff.

The Sioux County Jail does not utilize inmate workers or trustees and does not allow inmates outside of the secure area of their pods without escort by staff.

This facility is certified by the State of Iowa Department of Corrections to hold juvenile offenders though the practice of the facility is to find other placement of juveniles whenever possible.

There were 13 inmates being housed on the first day of the on-site audit
The average daily number of inmates for the preceding 12 month period of the audit is 19.5 adult inmates and no youthful offenders housed.

The building has a drive in garage as a sally port for new arrests.

Inmate visitation is conducted through a glass partition for security.

SUMMARY OF AUDIT FINDINGS

This narrative is provided to give information of how the auditor conducted the Sioux County PREA Audit and where information was obtained to determine the report outcome. Each standard was reviewed and justification is explained in each standard requirement.

The Sioux County Jail is a clean and well kept, updated facility. The facility is staffed by a very professional and well trained group of employees. Each staff member interviewed revealed they were committed to their responsibilities of keeping inmates safe and at the same time understanding their security role for inmate's and the public's safety. Each employee wanted to do their best and work as a team to become PREA compliant.

The inmate interviews conducted also portrayed this same attitude the staff displays. Inmates all stated they were confident the staff would always do the right thing and they were all approachable with any problem that might come up. All inmates stated they were made aware of the PREA Zero Tolerance Policy and information at Booking, they were shown the PREA Video before being placed in a housing unit and it is shown again two times each week.

The PREA Audit of the Sioux County Jail Facility revealed the work and cooperation of the staff to make this facility PREA compliant. The specific standards are explained and justification as to how this auditor came to each conclusion.

This auditor was able to contact the PREA Coordinator during the reviewing of material supplied with the Pre-Audit Questionnaire. The PREA Coordinator took immediate steps to supply information and make several changes as requested prior to the on site visit.

This interim report is written with one corrective action required, standard 115.81. The Sioux County PREA Coordinator has been advised on the needed requirements and is working with this auditor to meet standards.

Interim Report Findings:

Number of standards exceeded: **5**

Number of standards met: **37**

Number of standards not met: **1**

Number of standards not applicable: **0**

During the Corrective Action Period, the Sioux County Jail Facility PREA Coordinator Plendl was able to instruct the staff to enter a 14 day notification in the events section of the inmate booking system. This notification will notify the visiting medical and mental health care staff of the counselling requirements as set out in PREA Standard 115.81.

On 12-12-17 this auditor arrived at the Sioux County Jail and met with PREA Coordinator Plendl and Lt. Bergsma. A random sample of inmate booking files were checked and it was found the 14 day notification was implemented as a scheduled event for the required counselling for an inmate who answered "Yes" to having been a victim or perpetrator of sexual abuse either in or out of a correctional facility.

Coordinator Plendl advised the staff had been updated on the need and would continue to enter the notification in the events calendar.

With this correction of entering the notification event, PREA Standard 115.81 has been met.

This auditor then advised Coordinator Plendl and Lt. Bergsma the report would be completed and sent to both the Sioux County Jail facility and the PREA Resource Center. They were advised of the appeal process if they would contest the report, they were also advised of the 15 month record retention period required by this auditor. There were also told of the report posting requirement to their web site and the annual reviews as spelled out in their policy manual.

Final Report Findings:

Number of standards exceeded:	5
Number of standards met:	38
Number of standards not met:	0
Number of standards not applicable:	0

Standard 115.11 Zero tolerance of sexual abuse and sexual harassment; PREA Coordinator

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF has in place policy 2.18. The SCJF has Zero Tolerance toward all forms of sexual abuse and sexual harassment and outlines the agency's approach to preventing, detecting and responding to such conduct.

This policy also designates the Jail Commander as PREA Coordinator to implement and oversee the agency efforts to comply with the PREA Standards.

The Sioux County Sheriff has a public web site that contains the zero tolerance policy and reporting information. This web site includes information for third party reporting using an anonymous text messaging system.

The SCJF does employ an upper level supervisor as the PREA Coordinator. This Coordinator is given as much time as needed to perform and oversee all PREA issues.

The Zero Tolerance Policy is stated in the following:

- Agency Policy
- Inmate education handout at booking English and Spanish Languages
- Inmate rule book
- Cell postings English and Spanish Languages
- Agency website

Staff Interviews:

- Interview with the Sheriff confirmed he has designated a PREA Coordinator who is given as much time as needed to perform the duties of the PREA Coordinator. This coordinator has been given the responsibility to research, update policy, train staff, document materials and training, work with outside agencies and perform duties to become PREA Compliant.
- Interview with the PREA Coordinator confirm they are given the authority to develop, implement and oversee the agencies efforts to comply with the PREA Standards.
- The PREA Coordinator is given as much time as needed to perform their duties as the PREA Coordinator.

Observations:

- The PREA Zero Tolerance Policy is posted in the public lobby of the jail in both English and Spanish languages.
- The inmates are all given the Zero Tolerance Policy information upon being booked into the SCJF. They must sign a form stating they have received this information, this was confirmed by checking inmate files.
- The PREA Zero Tolerance Policy is posted on the Sioux County Sheriff's Office Website.
- All employees, contractors and volunteers are trained on the Zero Tolerance Policy and documentation is retained of all training.

Policy:

- 2.18

Documentation:

- Inmate Booking information handout
- Inmate Rule Book
- Cell Postings
- Agency Website
- Volunteer and Contractor training sheet

Standard 115.12 Contracting with other entities for the confinement of inmates

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

Policy 2.18 states the Sioux County Sheriff's Office contracts with the United States Marshals Service to hold federal prisoners. The federal prisoners held at the Sioux County Jail are subject to all Sioux County Jail policies, including PREA standards

Due to the adequate number of bed space available to the SCJF, the SCJF does not outsource Sioux County inmates for housing to other agencies.

Administrative Interviews:

- Administration confirmed they do not contract with other facilities to hold Sioux County inmates.
- If there were an unforeseen incident that Sioux County inmates were held out of county, the administration would require PREA compliance.

Observation:

- The head count at the beginning of the on site audit was 13 inmates. The facility will hold 67. The facility has the ability to house several inmates without contracting out for bed space.

Policy 2.18

Standard 115.13 Supervision and monitoring

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF policy 2.18 does have a staffing plan that requires a minimum staff which states:

- There is a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect offenders against sexual abuse. In calculating adequate staffing levels and determining the need for video monitoring, consideration is given to:
 - The physical layout of the Sioux County Jail
 - The composition of the offender population
 - The prevalence of substantiated and unsubstantiated incidents of sexual abuse
 - Any other relevant factors
- In circumstances where the staffing plan is not complied with, the Jail Commander shall document and justify all deviations from the plan.

- Whenever necessary, but no less frequently than once each year, the Jail Commander shall assess, determine, and document whether adjustments are needed to:
 - The staffing plan established pursuant to paragraph (C1 & D) of this section;
 - Prevailing staffing patterns;
 - The facility's deployment of video monitoring systems and other monitoring technologies; and
 - The resources the facility has available to commit to ensure adequate staffing levels

Staffing Plan

- The Sioux County Jail maintains, when at all possible, a minimum of three (3) correctional officers on duty during the day and evening shift hours. There will be at least one male and one female officer scheduled to work the day and evening shifts.
- The overnight shift will consist of a minimum of two (2) correctional officers, one male and one female officer
- Intermediate-level or higher-level supervisors will conduct and document periodic unannounced rounds through the jail to identify and deter staff sexual abuse and sexual harassment.

Staff Interviews:

- Interviews confirmed there is a minimum number of staff on hand at all times to safely and effectively operate the SCJF. Staff stated there was always a female on staff for searches and they could think of no times that a female was ever refused any program due to lack of female staffing to conduct searches.
- While in the secure area of the facility, the supervisors do conduct unannounced rounds to identify and deter staff from sexual abuse or harassment, these rounds are documented.

Administrative Interviews:

- Administration confirm they do observe staff during these unannounced rounds and document each round as required by policy.
- There have been no staffing problems, findings of inadequacy, any allegations or other issues in the past year that warranted an update to the staffing plan. The staffing schedule is prepared in advance and takes into consideration all the above factors.
- If there is an emergency and changes need made in the staffing plan, the Jail Commander can reinforce staffing immediately.
- If there is a deviation of the staffing plan, this will be documented.

Inmate Interviews:

- Inmates stated they have never been denied any privileges or program opportunities due to staff shortage.

Observations:

- During the on site audit tour, there was adequate staff available to conduct normal operations of the facility.
- During interviews of staff they all stated there was adequate staffing to perform their duties and if something were to occur, they could contact a supervisor who could authorize more staff to be called in.
- Unannounced rounds records are kept by the supervisors.
- In the last 18 months, the SCJF has added multiple cameras and monitors to alleviate any blind spots within the jail.

Policy

- 2.18 Sections C, D

Documentation:

- Unannounced Rounds Log
- Staffing Schedule for last 12 months

Standard 115.14 Youthful inmates

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF Policy 7.14 requires all juveniles to be kept sight and sound separated from adults inmates.

- This sight and sound separation includes the booking area and housing units.

The SCJF is approved by the State of Iowa Department of Corrections as a sight and sound separate facility and is approved to house youthful offenders.

The SCJF practice is to not house youthful offenders at this facility. The youthful offenders are booked and turned over to the arresting agencies for placement.

Observations:

- There were no youthful inmates being held at the SCJF during the on site audit.
- Records for the past 12 months show there have been no youthful offenders held at this facility.

Staff Interview:

- All staff stated they do not house juveniles at the SCJF.

Administrative Interviews:

- The Jail Commander stated though the facility is approved as a sight and sound separate facility capable of holding juveniles, the practice is for the arresting agency to find alternative options for holding the youthful offenders.

Policy:

- 4.03
- 7.14

Documentation:

- Iowa Department Of Corrections 2017 Jail Inspection Report

Standard 115.15 Limits to cross-gender viewing and searches

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

Sioux County policy 2.18 states the limits to cross gender viewing and searches:

Limits to cross-gender viewing and searches

- Staff shall not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners.
- As of August 20, 2015, or August 21, 2017 for a facility whose rated capacity does not exceed 50 offenders, the facility shall not permit cross-gender pat-down searches of female offenders, absent exigent circumstances. Facilities shall not restrict female offenders' access to regularly available programming or other outside opportunities in order to comply with this provision.
- The facility shall document all cross-gender strip searches and cross-gender visual body cavity searches, and shall document all cross-gender pat-down searches of female offenders in the log.
- Offenders may 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 room checks. Staff of the opposite gender must announce their presence when entering an area where offenders are likely to be showering, performing bodily functions or changing clothing.
- Employees shall not search or physically examine a transgender or intersex offender for the sole purpose of determining the

offender's genital status. If the offender's genital status is unknown, it may be determined during conversations with the offender, 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.

- Staff shall be trained on how to conduct cross-gender pat-down searches and searches of transgender and intersex offenders, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

Staff Interviews:

- Staff knew they were not to conduct cross gender strip searches or conduct body cavity searches.
- Male staff stated they were not allowed to conduct any type of search on a female inmate. There would always be a female staff member available.
- Female inmates were never restricted from programs due to lack of female staff for searches.
- Cross gender staff announce their presence when entering a housing unit of the opposite gender.
- Male staff stated they do not enter the female housing unit except in emergencies or exigent circumstances.
- Staff also advised they were not to conduct a search solely for the purpose to determine genital status.
- Staff has been trained on how to conduct pat down searches.

Inmate Interviews:

- Female inmates interviewed stated they have never been pat searched by a male staff member.
- All inmates reported that cross gender staff announce their presence when entering the housing unit. Female inmates stated that male staff do not normally enter their pod and do announce.
- There were no inmates in the SCJF who identified themselves as LGBTI or felt they would be victimized so no interviews of this type were possible.

Observations:

- It was observed during staff rounds that all staff of opposite gender announced their presence when entering the housing unit.
- Staff made the announcement when escorting the auditor during the on site audit.
- The housing unit pods are set up for staff to observe from the control room. The showers all have a curtain for privacy and there is ample room in the shower area for inmates to dress in privacy.
- Inmates are not allowed to be in the day room while in a state of undress.
- The toilets and sinks are placed within the cells to provide privacy for inmates and free from view of staff
- Video monitoring of inmates has been modified to prevent viewing of inmates while they are performing bodily functions or showering.

Policy:

- 2.18 Section E
- 4.06
- 5.03
- Iowa Code Chapter 50.13.2(4)

Documentation:

- Strip Search Authorization Form
- Staff Training Records

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

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF Policy regarding inmates with disabilities and inmates who are limited English proficient states:

Offenders with disabilities and offenders who are limited English proficient:

- Offenders with disabilities (including, for example, those who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of efforts to prevent, detect and respond to sexual abuse and sexual harassment. Such steps shall include, when necessary to ensure effective communication with offenders who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. In addition, written materials are provided in formats or through methods that ensure effective communication with offenders with disabilities, including offenders who have intellectual disabilities, limited reading skills, or who are blind or have low vision.
- The Sioux County Jail shall 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 offenders who are limited English proficient, including steps to provide interpreters who can interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary.
- The Sioux County Jail shall not rely on offender interpreters, offender readers, or other types of offender assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the offender's safety, the performance of first-response duties under or the investigation of the offender's allegations.

The SCJF uses a PREA Acknowledgement signed during the intake process by each inmate. This acknowledgement confirms the Zero Tolerance Policy and includes definitions, how to avoid being a victim, response if victimized, reporting information and retaliation for reporting. This form also has contact information for reporting purposes.

- This information from staff and acknowledgement is given to the inmate and a signature received stating the inmate understands the information. If an inmate is not able to understand, staff will explain or find an interpreter if needed.

The SCJF does not use inmates as interpreters to assist in the education of inmates.

- The PREA information video is also shown to all inmates prior to being placed in housing in both English and Spanish.

Staff Interviews:

- Staff stated they give the PREA zero Tolerance Policy information to all inmates during booking at intake. This information is written in the English and Spanish languages.
- Staff stated they do not use other inmates to assist with interpreting
- The SCJF has bilingual staff working at the facility and can be call in to assist if needed.
- Staff use an internet based interpreting service if needed for those inmates that are not English proficient.
- Further education information is on video in English and Spanish.

Inmate Interviews:

- There were no inmates with disabilities or other limited English proficiencies being housed during the on site audit.
- Inmates were asked if they understood the information given by staff and all acknowledged they did understand the information.
- Inmates stated if a question were to come up, they could ask staff for confirmation.
- Inmates stated they were also shown the PREA Video before being placed into housing and it was shown 2 times per week.

Observations:

- Inmate information is posted in all housing units in both English and Spanish
- Inmate handout information is given to all inmates with a signature stating they understand the information
- Observation of inmate files revealed signatures were obtained that inmates received and understood training
- Jail Inmate Rule Book observed in all housing units (English and Spanish versions)
- Inmate education video was observed in both English and Spanish versions.

Policy:

- 2.18 Section F

Documentation:

- PREA Acknowledgement (English and Spanish)
- Sioux County Preventing Sexual Misconduct Posting (English and Spanish)
- Inmate Rule Book (English and Spanish)
- PREA Video Documentation

Standard 115.17 Hiring and promotion decisions

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The Sioux County Sheriff's Office Employees are all required to meet minimum qualifications as part of the hiring process. These qualifications include background checks and they are to have no history of sexual abuse or harassment violations.

The SCJF also has implemented their own department policy involving staff. This policy covers any investigations of sexual abuse or harassment, disciplinary sanctions including termination of employment.

All employees are required to cooperate with the investigation and will not interfere with the investigation.

SCJF Policy 2.18 states:

Hiring and promotion decisions

- The Sioux County Sheriff's Office shall not hire or promote anyone who may have contact with offenders, and shall not enlist the services of any contractor who may have contact with offenders, 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 in this section.
- The Sioux County Sheriff's Office shall 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 offenders.
- Before hiring new employees who may have contact with offenders, the Sheriff's Office shall:
 - Perform a criminal background records check; and
 - Consistent with Federal, State and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse. The Sioux County Sheriff's Office shall also perform a criminal background records check before enlisting the services of any contractor who may have contact with offenders.
- The Sioux County Sheriff's Office shall either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with offenders or have in place a system for otherwise capturing such information for current employees.
- The Sioux County Sheriff's Office shall also ask all applicants and employees who may have contact with offenders directly about previous misconduct described in this section in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of reviews of current employees. The Sioux County Sheriff's Office shall also impose upon employees a continuing affirmative duty to disclose any such misconduct.
- Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.
- Unless prohibited by law, the agency shall 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.

The Sioux County Employee Handbook and Policy Manual is given to all Sioux County Employees, this handbook also spells out a "Preventing Sexual Harassment in the Workplace" Policy, 2.2 and producing false information or statements in Policy 7.1

- This Policy addresses disciplinary sanctions including up to termination for violations.

Interview with Sheriff:

- The hiring process includes a background check on all new hires. No person with a sexual assault or harassment record will be hired to oversee or be in contact with inmates.
- The Sheriff stated he understands the PREA Standards of not hiring or promoting anyone with a history of sexual abuse or harassment.
- The Sheriff stated he would pass on any information he is legally obligated to submit about a former employee to another jail or correctional facility, this would include PREA requirements of reporting to another hiring facility.
- The Sheriff also stated he would not keep on staff or promote any employee who has a substantiated allegation of sexual abuse or harassment.
- The Sheriff is not held to a labor contract that will prevent him from discipline or termination of employees due to sexual abuse or harassment.

Interview with Jail Commander:

- The Jail Commander confirmed the hiring and terminating process is consistent with the Sioux County Employee Book and Policy Manual and the Sioux County Sheriff’s Policy.
- The SCJF will not hire or promote anyone with a history of sexual abuse or harassment.
- The Jail Commander conducts all background searches on staff, volunteers and contractors. This background check file is kept in a secured PREA File in the Jail Commander’s Office.

Staff Interviews:

- All staff interviewed stated they understood the policy and possible termination for violating any of the sexual harassment or abuse sections.

Interview with Contractors and Volunteers.

- Each of the contractors and volunteers stated they knew a background check was completed before they were allowed into the SCJF.
- They also understand their privileges will be terminated if misconduct is determined and potential criminal charges filed.

Observations:

- Employee Background check information was documented.
- Volunteer and Contractor background checks were confirmed in file

Policy:

- 2.18 Section G
- Sioux County Employee Handbook and Policy Manual 2.2
- Sioux County Employee Handbook and Policy Manual 7.1

Standard 115.18 Upgrades to facilities and technologies

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF is a podular designed jail that opened in 2003. It’s modern design utilizes staff supervision of inmates supplemented with CCTV. There have been significant improvements of audio and video updates in April, 2017.

The SCJF policy regarding upgrades states:

Upgrades to facilities and technologies:

- When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the Department shall consider the effect of the design, acquisition, expansion or modification upon the agency's ability to protect

offenders from sexual abuse.

- When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the Sioux County Sheriff's Office shall consider how such technology may enhance the agency's ability to protect offenders from sexual abuse.

Interview with Jail Administrator:

- The CCTV system has just recently been upgraded from the original CCTV system.
- The CCTV is used as a supplement for the safety and security of inmates and staff.

Observations:

- CCTV is used though out the jail and where inmates may have access.
- The upgraded system has camera angles set to prevent cross gender viewing of inmates while in states of undress.
- Security personnel have the ability to observe multiple cameras and angles of common rooms and passages to observe inmates movement.
- This auditor could not locate any blind spots in the facility.

Policy:

- 2.18 Section H

Standard 115.21 Evidence protocol and forensic medical examinations

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF does have a flow chart for both staff on inmate and inmate on inmate response, these include: Separation of victim, Medical Care of Victim, Handling of Perpetrator, Notifications and Evidence Preservation.

Policy 2.19 includes the requirement that uniform evidence protocol to maximize the potential for obtaining usable physical evidence.

- This policy also requires staff to offer all victims of sexual abuse access to forensic medical exams that will be conducted at the local hospital by SAFE or SANE nurses will be made available.

The Centers Against Abuse and Sexual Assault (CAASA) is the primary care provider for Sioux County in the event of a sexual abuse allegation. CAASA provides victim advocate services and will coordinate the Sexual Assault Response Team (SART). The SCJF has a request and referral form to be filled out for documentation.

The Sioux County Sheriff's Office has a Memo Of Understanding with the Orange City Health System to provide assistance for any PREA related investigations and reports. This includes the Orange City Health System will perform forensic exams and victim advocate services without cost to the victim.

The Sioux County Attorney's Office has a full time victim coordinator on staff who will also be utilized during an investigation of PREA violations.

Services supplied will be at no charge to victims.

The SCJF policy does allow for administrative review of the investigation into the allegations of a sexual abuse or sexual harassment complaint for both staff and inmates, all information is to be forwarded to the Sheriff who will determine if the investigation will be completed by Investigators of the Sioux County Sheriff or other agency, either entity will conduct the appropriate evidence protocol and forensic medical examinations as needed.

Staff has been trained on PREA “Your Role Responding to Sexual Abuse”

The SCJF has implemented a Sexual Assault Response Plan and Checklist for staff to follow in the event of a sexual abuse or harassment report. This checklist includes protocol for evidence preservation.

The SCJF has entered into a contract with the Sioux Rivers Regional Mental Health and Disabilities Services. This provider works with the Creative Living Center to provide a Mental Health Practitioner to visit the SCJF each week.

Staff Interviews;

- Interviews with line staff, booking officers, first responders and control officers all confirm they have been trained on response protocol and are familiar with the Sexual Assault Response Plan and Checklist.
- Each staff member was able to report they would respond by separating the victim from the abuser, check for medical need, preserve evidence and report for an investigation to begin.
- First Responder Staff would only preserve evidence while the investigator would be responsible to collect all evidence.

Investigator Interview:

- Interview with the investigator revealed he has been trained in sexual assault investigations and the interview process, training also includes evidence collection, DNA and preservation of crime scene.
- The SCJF Investigator stated CAASA will be called to assist as a victim advocate during the investigation and follow up process as per the Letter of Understanding.
- The investigators will utilize the local hospital in Orange City, IA as the first response of care as per the MOU. This MOU documents that the hospital will supply forensic examinations and abide by all PREA requirements.
- All Sexual Assault Forensic Evidence Collection protocols will be observed.

Medical / Mental Health Interview:

- The SCJF does not utilize medical staff on site. They do however transport all inmates who request medical attention to the Orange City Hospital.
- The SCJF does have a Mental Health Practitioner visit the facility weekly. During these visits, the inmate can be referred to more extensive resources as needed.
- Mental Health staff confirmed they would be in a support role for not only the initial investigation if they are on site but would also assist the CAASA as requested.
- Mental Health Practitioners will not be involved with evidence collection.

Policy:

- 2.19

Documentation:

- Sexual Assault Flow Chart
- Sexual Assault Response Plan and Checklist
- Request for advocacy services from Centers Against Abuse and Sexual Assault (CAASA)
- MOU from Sioux Rivers Regional Mental Health and Disabilities Services
- MOU from the Orange City Health System
- MOU from Creative Living Center PC
- Staff Training Records

Standard 115.22 Policies to ensure referrals of allegations for investigations

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These

recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF does have in place policy 2.19 to ensure referrals of allegations for investigations including criminal and administrative investigations, this includes investigations of all sexual abuse or sexual harassment allegations.

The Sioux County Sheriff's Office does have a trained investigator for PREA investigations. The Sheriff will make the determination on whether the Sioux County Detective or the Iowa Division of Criminal Investigation will investigate the allegation.

The SCJF does have a web site that posts the Zero Tolerance policy and also information on how to report a PREA violation. Included in this posting is the policy information that any report will be investigated and the proper legal authority will be involved to file criminal charges.

The SCJF web site gives information of Sioux County Jail, Sioux County Attorney's Office, Iowa Sexual Abuse Hotline, Public Defender's Office Ombudsman's Office and Phone numbers are also included in this information.

This web site is available for third party reporting information.

Administrative Interviews:

- Both the Sheriff and Jail Commander stated all allegations of sexual abuse and harassment would be investigated.

Investigator Interview:

- The Investigator stated he would be involved with an investigation of all sexual abuse or harassment allegations.

Observations:

- All information regarding the policies and referrals of allegations for investigation are posted on the Sioux County Jail Web site under the PREA Information tab.
- The Sexual Abuse Flow Chart and the Sexual Assault Response Plan and Checklist both include reporting to administration and notifying the investigator.

Policy:

- 2.19

Documentation:

- Sioux County Jail Web Site
- Sexual Assault Flow Chart
- Sexual Assault Response Plan and Checklist

Standard 115.31 Employee training

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF policy 2.20 includes staff training requirements of the PREA Standard 115.31.

Included in this policy requires staff to be knowledgeable of:

- Zero Tolerance Policy for sexual abuse and sexual harassment
- Their responsibilities of prevention, detection, reporting and responses

- Staff is also trained on the inmate's rights to be free from sexual abuse and sexual harassment
- Inmates and employees rights to be free from retaliation for reporting
- Training to understand the dynamics of sexual abuse and harassment in confinement.
- Trained on common reactions of sexual abuse and harassment victims
- How to detect and respond to signs of threatened and actual sexual abuse and how to avoid inappropriate relationships with inmates.

The SCJF polices on training include requirements of Iowa Chapter 50 Jail Standards.

- The Iowa Jail Standards require training on sexual abuse and reporting for all jail staff.
 - This mandatory training is set by the Iowa Law Enforcement Academy and requires new employees receive training within the first year of employment.
 - Sioux County Policies also reflect this training requirement.
- The Iowa Department Of Corrections Annual Jail Inspection Report confirms all required training and policy knowledge has been documented.

The SCJF requires documentation that all employees understand the training they have received.

Staff Interviews:

- Interviews of staff were conducted and questions were asked of policy knowledge and practices at the SCJF. Staff were all able to articulate their education of the above policy requirements and responsibilities in the event of an accusation.
- Staff confirmed they would begin the process as trained during their own Sioux County Training which includes the Sexual Assault Checklist.
- Staff also stated they have been trained during their mandatory annual Iowa Jail School Training as required by Iowa Chapter 50 Jail Standards.
- Staff all stated they have been trained on their responsibilities by department training also watching the PREA approved training videos and modules obtained from the PREA Resource Training site.

Observed:

- Staff Training records from the Iowa Law Enforcement Academy
- Staff Training records for Sioux County Policy Training
- Staff signatures of training attended
- Iowa Department Of Corrections 2017 Jail Inspection Report

Policy:

- 2.20
- Iowa Jail Standards Chapter 50

Standard 115.32 Volunteer and contractor training

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF Policy of 2.20 B is specific to Volunteer and Contractor training.

- All volunteers and contractors are to be trained in all aspects of the PREA Standards and how to report and allegation which includes the zero tolerance policy.
- This training that each volunteer or contractor is required to observe is a comprehensive power point presentation that includes information of their responsibilities for prevention, detection and response.
- A training acknowledgement form is also signed by the volunteer / contractor.

Interviews with contractors and volunteers revealed:

- They are all familiar with the zero tolerance policy
- Volunteers and Contractors know who to report to in case of an allegation
- Volunteers and Contractors are monitored at all times while in the facility.
- If a volunteer or contractor needs to get into a housing area where inmates are held, a staff member will escort the volunteer / contractor and the inmates will be locked down to prevent contact.
- All have given information for background checks to be completed.

Staff Interviews:

- Staff states they lock down inmates or escort the volunteers / contractors.
- Background checks are completed by administration prior to admittance to the facility
- PREA Training is required of volunteers / contractors prior to facility access

Policy:

- 2.20 Section B

Documentation:

- Sexual Misconduct With Offender signature form
- Background Check Documentation

Standard 115.33 Inmate education

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF Policy 2.20 Section C addresses the inmate education requirements of PREA Standard 115.33 by stating in part:

- During the intake process, offenders shall receive information explaining the zero-tolerance policy regarding sexual abuse and sexual harassment, how to report incidents or suspicions of sexual abuse or sexual harassment, 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.
- Offender education shall be provided in formats accessible to all offenders, including those who are limited English proficient, deaf, visually impaired or otherwise disabled as well as offenders who have limited reading skills.
- Documentation of offender participation in these education sessions shall be maintained.

The Booking Process includes a "Preventing Sexual Misconduct" form each inmate is given. This form is explained to each inmate and includes information on:

- The agency's Zero Tolerance Policy for sexual misconduct
- Investigation will be completed for all allegations.
- Definitions
- Information on how to not become a victim
- Instructions if an inmate has been assaulted
- Retaliation
- How to report
- Third party reporting information
- How to stay safe

This information and signature form is filled out and a copy retained in the inmate files.

- This form is both in English and Spanish
- This information is communicated both verbally and in writing in a language clearly understood by the inmate. Provisions will be made for those not fluent in the English language and those with disabilities and lower literary levels.
 - Sioux County Jail has employees that are bilingual and also have the ability to use internet based interpreting services.

Inmates are provided with comprehensive PREA Training prior to being placed in a housing unit.

- This is completed by showing a video provided by the National Institute of Corrections and taken from the PREA Resources website.
- This video is also shown two times per week to all inmates after being placed in the housing units.
- Inmates are required to sign a form stating they have seen this video prior to be placed in housing.

Staff Interviews:

- All staff reported that all inmates are given information of the Zero Tolerance Policy, information on how to report a sexual assault or harassment.
- The inmate is given a signature form stating they have been informed on the Zero Tolerance Policy and how to report an incident.
- Inmates are required to sign a form advising they have been given the comprehensive training
- Staff advised all information is available to everyone including those that are limited English proficient.
- Inmates are informed postings are in the pods that have reporting information.
- The intake process training is completed within the first few hours of being brought to jail and the comprehensive training is completed within a 24 hour period of arrival and before they are placed in housing.
- Iowa Law requires staff have annual jail training, this includes PREA Training which all stated they have received at the Iowa Law Enforcement Academy Jail School.

Inmate Interviews:

- Inmates were questioned about their PREA educational experience while at the Sioux County Jail.
- All inmates stated they were informed of the Zero Tolerance Policy and how to report an incident during the booking process. They also signed a form stating they were given the information.
- All inmates stated they watched the comprehensive training video of PREA information prior to being placed in housing.
- This video is shown again two times per week in all the housing units.
- All inmates signed a form stating they observed the video and knew how to report.
- All inmates knew they could contact staff or outside sources to report a sexual assault or harassment.
- Inmates reported they knew there was information on reporting a sexual assault or harassment incident posted in the pods.
- Inmates were aware of support services as posted in the pods and in the information on Preventing Sexual Misconduct.

Observations:

- Inmate files were observed and found to have the intake training and the comprehensive training signature sheets signed. This was found in every file reviewed.
- Postings in the pods all gave information regarding the Zero Tolerance Policy along with reporting information and service agencies.
- All information is made available in both English and Spanish
- Comprehensive PREA Training records are kept for all showing of the video

Policy:

- 2.20 Section C

Documentation;

- Sioux County Sheriff's Office Preventing Sexual Misconduct (English and Spanish)
- Preventing Sexual Abuse Postings (English and Spanish)
- Inmate Files
- Comprehensive PREA Training Video Records

Standard 115.34 Specialized training: Investigations

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

Policy 2.20 Section D for Specialized training, Investigations requires the SCJF to train their agency investigator to include 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.

Investigator Interview:

- During the interview, it was learned the Investigator has completed the PREA required training and has the specialized training in 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.
- This training has been through the PREA Resources website and all modules completed with certificates obtained.
- The Investigator also has an extensive investigatory background as he is the primary investigator for the Sioux County Sheriff's Office.

Policy:

- 2.20 section D

Documentation:

- Investigator's Training File Records

Standard 115.35 Specialized training: Medical and mental health care

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

Policy 2.20 requires mental health practitioners who work regularly in the SCJF will be trained in:

- How to detect and assess signs of sexual abuse and sexual harassment;
- How to preserve physical evidence of sexual abuse;
- How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and
- How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.
- They also receive training mandated for employees or contractor / volunteer training, including the zero tolerance policy.

Mental Health Staff Interview:

- The Mental Health Staff are assigned to the Sioux County Jail on a part time basis.
- They have been trained on the agencies Zero Tolerance Policy and how to report just as those Contractors and Volunteers.
- Mental Health Staff have a Master of Science, Licensed Mental Health Counselor and CRC as part of their training.

- Mental Health work for the Creative Living Center and work under contract with the Sioux County Jail
- Mental Health staff do not conduct Forensic exams.

Observations:

- No forensic exams are conducted at the SCJF.

Policy:

- 1.20 Section E

Documentation:

- Sioux County Jail PREA Training records
- Contract from Sioux Rivers Regional Mental Health and Disabilities Services
- MOU from Creative Living Center PC

Standard 115.41 Screening for risk of victimization and abusiveness

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF has implemented a screening and classification system to meet the PREA 115.41 Standard.

Policy 2.21 addresses the screening of inmates upon booking at the SCJF for the risk of being sexually abused by other inmates or sexually abusive toward other inmates, information obtained during the screening includes:

- Whether the offender has a mental, physical, or developmental disability
- The age of the offender;
- The physical build of the offender;
- Whether the offender has previously been incarcerated;
- Whether the offender's criminal history is exclusively nonviolent;
- Whether the offender has prior convictions for sex offenses against an adult or child;
- Whether the offender is or is perceived to be gay, lesbian, bisexual, transgender, intersex or gender nonconforming;
- Whether the offender has previously experienced sexual victimization;
- The offender's own perception of vulnerability.
- The intake screening shall consider prior acts of sexual abuse, prior convictions for violent offenses and history of prior institutional violence or sexual abuse, as known to the agency, in assessing offenders for risk of being sexually abusive.
- If the inmate is being held on a civil immigration purpose only

Per Policy 2.21 screening is completed during the intake process and must be completed within 72 hours of booking.

Inmates may not be disciplined for refusing to answer, or for not disclosing complete information in response to screening questions.

Policy 2.21 also addresses review of the inmate’s status. Each inmate's classification will be reviewed within thirty (30) days after classification, this policy does allow for an inmate's classification to be reviewed at any time if changes occur or new information is obtained that would warrant a review.

The screening information is secured and only available to security staff that would need the information to assist in appropriate placement of the inmate.

Staff Interviews:

- Booking and security staff were interviewed about the screening instruments used during the booking process.
- Staff advised that all inmates are given the Booking Screening for Risk of Sexual Victimization and Abusiveness form and fill out the information completely. If they have difficulty or need an interpreter, the staff will offer any assistance needed.
- Staff secure this form in the inmate file which is kept in a secure area accessible only to security staff.
- Staff stated that if an inmate is determined to need special placement due to victimization, they will reassess their status within 30 days but would do so sooner if new information is obtained.
- Staff also stated there would be no disciplinary action held against an inmate for failing to disclose complete information in response to the screening questions.
- The SCJF requires a criminal charge or Federal hold to house inmates. There are no civil immigration only detainees held at the SCJF.

Inmate Interviews:

- There were no inmates that perceived themselves to be victims, at risk of abusiveness or LGBTI being held at the SCJF during the on site audit.
- Those inmates that were interviewed stated they had filled out the Risk Assessment form during booking and recalled the questions that were asked.

Observations:

- A random sample of inmate files were reviewed. All files contained the Booking Screening for Risk of Sexual Victimization and Abusiveness form with the inmate signature.
- Inmate files are secured and available only to security staff that need the information for placement or review.

Policy:

- 2.21 Section A

Documents:

- “Booking Screening for Risk of Sexual Victimization and Abusiveness”

Standard 115.42 Use of screening information

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF Policy 2.21 continues to address the use of the screening material by:

- Allowing staff to use information from the booking risk screening required to inform housing, bed, work, education and program assignments with the goal of keeping separate those offenders at high risk of being sexually victimized from those at high risk of being sexually abusive.
- The Sioux County Jail shall make individualized determinations about how to ensure the safety of each offender.
- In deciding whether to assign a transgender or intersex offender to a facility for male or female offenders, and in making other housing and programming assignments
- The Sioux County Jail shall consider on a case-by-case basis whether a placement would ensure the offender's health and safety, and whether the placement would present management or security problems.
- A transgender or intersex offender's own views with respect to his or her own safety shall be given serious consideration.
- Transgender and intersex offenders shall be given the opportunity to shower separately from other offenders.
- The Sioux County Jail shall not place lesbian, gay, bisexual, transgender or intersex offenders 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 offenders.

The SCJF has implemented Policy 4.06 for transgender inmates. This policy considers placement based on medical advice along with safety and security of the facility.

Staff Interviews:

- Staff confirmed the placement of inmates is based on the risk assessment answers as described in 115.41 above.
- The risk assessment tool is used to classify and keep safe inmates that are at high risk of being sexually victimized for those that may be sexually abusive.
- If new information is obtained that could determine placement of an inmate, that information would be used immediately for possible housing changes.
- Staff stated they would interview inmates and use all the information on a case by case basis for determination of victimization or abusiveness.
- Staff stated if there were a transgender or intersex inmate being housed at the SCJF, the inmate would be given an opportunity to shower separately from other inmates if they requested.
- Staff also stated they would not place LGBTI inmates in a unit based solely on their identification of being LGBTI.

Observations:

- The housing units showers are all single person showers. There is ample room for inmates to shower and have their clothing available to dress without being observed by staff or other inmates.
- An inmate can shower in private without requesting a separate shower facility.
- The intake shower is also designed for one inmate only and cannot be viewed by staff or inmates.
- All showers are covered with a partial curtain, this curtain allows staff to see inmates are in the shower but provides cover of genitalia.
- The SCJF has ample housing available to accommodate special circumstances and inmates without restricting programs.

Policy:

- 2.21
- 4.06

Standard 115.43 Protective custody

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF Classification and housing placement is determined by information received from the booking screening and intake process. Interviews will be conducted during the intake process as needed to determine any protective custody assignments based on safety of the inmates including sexual victimization risk.

The SCJF policy 2.21 includes:

- A classification review of an inmate's risk of victimization or abusiveness not to exceed 30 days after initial classification. The classification review will be completed sooner or at any time new information is obtained that would influence a status change.
- Inmates at high risk for sexual victimization shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. If a facility cannot conduct such an assessment immediately, the facility may hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment.
- Inmates placed in segregated housing for this purpose shall have access to programs, privileges, education, and work opportunities

to the extent possible. If the facility restricts access to programs, privileges, education, or work opportunities, the facility shall document:

- (1) The opportunities that have been limited;
- (2) The duration of the limitation; and
- (3) The reasons for such limitations.

Staff Interviews:

- Staff advised that during the booking process the risk assessment form is answered by inmates and housing placement is made based on these answers.
- Staff stated they could not remember a time when an inmate answered questions advising they were at a high risk of victimization.
 - When asked what they would do in such an incident they stated the high risk of sexual abuse inmate would be placed in a housing pod that would be safe from predators.
 - The staff also stated there would be no restrictions on any programs or other opportunities that other inmates would have.
- Staff stated they were aware of the reclassification policy of 30 days.
 - If any new information was obtained before the 30 day review, staff would use that information immediately for possible housing reassignment.
- Staff advised all information would be documented.

Inmate Interviews:

- During the interview of inmates, there were no inmates that reported to be at high risk of sexual victimization.
- There were no inmates that had been held in segregated housing due to being at high risk of victimization or due to their answers during the classification and none had been denied any access to programs or other opportunities while incarcerated.

Observations:

- The housing units are designed to have cells and a common day area for the general population.
- The SCJF has the ability to place inmates in protective custody housing unit that does not restrict any privileges or programs that are allowed to other inmates at the SCJF.

Policy:

- 2.21

Standard 115.51 Inmate reporting

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF Policy 2.22 offers multiple internal ways to privately report sexual abuse and harassment, an inmate may report an incident of sexual misconduct by:

- Report to staff verbally;
- Report to staff in writing;
- Report via a kite or grievance form and give to staff

The SCJF also informs inmates they can make a report of sexual abuse or harassment to outside agencies including:

- Report to the State Ombudsman's Office
- Report to Sioux County Attorney, Victim Services Coordinator
- Sexual Abuse Hotline
- Therapist

Included in Policy 2.22 states in part, Staff shall accept reports made verbally, in writing, anonymously and from third parties and shall promptly document any verbal reports.

Staff may privately report sexual abuse and sexual harassment of offenders to management.

Third party reporting information is posted on the SCJF website for anyone in the public to view. Reporting information includes:

- Sioux County Jail (712) 737-3131
- Iowa Sexual Abuse Hotline 800-284-7821
- Public Defender Office (712) 279-0202
- CAASA, Spencer, Iowa 877-362-4612
- Sioux County Attorney's Office (712) 737-2457
- Citizens Aid/Ombudsman 888-426-6283

Interviews with Staff:

- During staff interviews it was learned they were all aware of the requirement to accept any report of sexual abuse or harassment whether made verbally, in writing, anonymously or from a third party.
- Staff stated they could make a report to a supervisor in private at any time.
- Staff stated they could remove an inmate from the housing unit to allow an inmate to privately make a report.

Inmate Interviews:

- There were no inmates interviewed that had reported a sexual assault or harassment complaint while in the SCJF.
- The inmates reported they were told how to make a report during the booking process and during the PREA education video that was shown to them before being placed in housing.
- All inmates stated they knew the information was posted in the pods about who to report any allegations to.
- The inmates also stated they knew they could talk to a staff member in private if needed.
- Inmates also reported they knew they could contact a friend, relative or attorney if needed to make a report.

Observations:

- Prevention Sexual Misconduct Booking Forms
- PREA information Postings in the pods had information on how to report sexual abuse or harassment (English and Spanish)
- SCJF website has reporting information available to the public for third party reporting
- The Sioux County Sheriff Website also includes anonymous text messaging for reporting crimes
- PREA Postings are also in the public lobby with reporting information (English and Spanish)

Policy:

- 2.22

Documentation:

- Preventing Sexual Abuse Postings
- Prevention Sexual Misconduct Booking Forms
- Sioux County Jail Web Site
- Refresher For Staying Safe-Preventing Sexual Misconduct

Standard 115.52 Exhaustion of administrative remedies

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF does have a policy on administrative procedures regarding grievances filed of sexual abuse allegations. Policy 2.22 states in part:

- There is no time limit on when an offender may submit a grievance regarding an allegation of sexual abuse.
- The Sioux County Jail may apply otherwise applicable time limits on any portion of a grievance that does not allege an incident of sexual abuse.
- The Sioux County Jail shall not require an offender to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse.
- Nothing in this section shall restrict the Sioux County Jail's ability to defend against a lawsuit filed by an offender on the ground that the applicable statute of limitations has expired.
- The Sioux County Jail shall ensure that:
 - An offender who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint;
 - Such grievance is not referred to a staff member who is the subject of the complaint.
- The Sioux County Jail shall 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 shall not include time consumed by offenders in preparing any administrative appeal.
- The Sioux County Jail may claim an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The Sioux County Jail shall notify the offender in writing of any such extension and provide a date by which a decision will be made.
- At any level of the administrative process, including the final level, if the offender does not receive a response within the time allotted for reply, including any properly noticed extension, the offender may consider the absence of a response to be a denial at that level.
- Third parties, including fellow offenders, staff members, family members, attorneys and outside advocates, shall be permitted to assist offenders in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of offenders.
- If a third party files such a request on behalf of an offender, 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.
- If the offender declines to have the request processed on his or her behalf, the agency shall document the offender's decision.
- The Sioux County Jail shall establish procedures for the filing of an emergency grievance alleging that an offender is subject to a substantial risk of imminent sexual abuse.
 - After receiving an emergency grievance alleging an offender is subject to a substantial risk of imminent sexual abuse, staff shall immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse to management, who shall provide an initial response within 48 hours and shall issue a final agency decision within five (5) calendar days.
- The initial response and final Sioux County Jail decision shall document the Sioux County Jail's determination whether the offender is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.
- Offenders may be disciplined for filing a grievance related to alleged sexual abuse only where the agency demonstrates that the offender filed the grievance in bad faith.

Iowa Code Chapter 50 requires a grievance procedure to be followed for administrative sanctions. This grievance procedure must be followed per Iowa Code. The Iowa Department of Corrections Jail Inspection report for 2017 confirms grievance procedures are followed by the SCJF.

The SCJF also implements an emergency medical form that can be filled out and turned over to staff for emergency procedures.

Policy:

- 2.22

Documentation:

- Inmate Grievance
- Inmate Rule Book
- Medical Request Form
- 2017 Iowa Jail Inspection Report

Standard 115.53 Inmate access to outside confidential support services

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

During booking, the SCJF staff present inmates with PREA reporting information that includes outside support service agencies, addresses and phone numbers.

- This information includes local and national sexual abuse support and victim advocacy agencies.
 - Iowa Sexual Abuse Hotline 800-284-7821
 - Public Defender Office (712) 279-0202
 - CAASA, Spencer, Iowa 877-362-4612
 - Sioux County Attorney's Office (712) 737-2457
 - Citizens Aid/Ombudsman 888-426-6283
 - This form is signed by the inmates during the information and inmate education process.
- This information is also posted in the intake area for inmates to see.
- This information is also available on the Sioux County Jail website.
- This information is posted in the pods in both English and Spanish.

Sioux County utilizes CAASA as their primary care provider. CAASA provides the SCJF with support services as a condition of the primary care provider with the county entities.

Though no inmates are held at the SCJF for civil immigration holds only, they are given immigration and consulate information at booking. This is supplied to them in their language as needed.

Inmates are advised of the possibility of phone calls being monitored but all understand confidential information or calls are made, the information is kept confidential.

Inmate Interviews:

- When asked, inmates stated they knew the information about support services were available and the contact information was posted on the walls in the pods.
- Inmates stated they also knew the information was in the information given to them at booking.
- Inmates were aware that their phone calls could be monitored as they know jail phones are recorded but also stated that confidential calls would not be monitored.

Observations:

- The Centers Against Abuse and Sexual Assault (CAASA) information is posted in all pods.
- The CAASA information including a toll free number is given to inmates during the comprehensive PREA information.
- Plains Area Mental Health contact information is in the Jail Rule Book
- Civil Immigration information is available at the Booking Officer work station.
- During the audit tour, a toll free phone call was completed to the support services using inmate phones.

Policy

- 2.22 Section C

Documentation:

- Request for Services form from Centers Against Abuse and Sexual Assault
- Jail Rule Book
- PREA Handout

- PREA Postings in Pod
- SCJF website information
- MOU from CAASA

Standard 115.54 Third-party reporting

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF does have a web site that is available for public viewing and publishes third party reporting information.

- On this site, the SCJF states the Zero Tolerance Policy and reporting information.
- Reporting agencies and phone numbers for the purpose of third party reporting sexual abuse or harassment information is listed.
- These agencies include:
 - Sioux County Jail (712) 737-3131
 - Iowa Sexual Abuse Hotline 800-284-7821
 - Public Defender Office (712) 279-0202
 - CAASA, Spencer, Iowa 712-362-4612
 - Sioux County Attorney's Office (712) 737-2457
 - Citizens Aid/Ombudsman 888-426-6283
- The Sioux County Sheriff’s Office also has links to report information or public concerns:
 - Text a Tip which relays phone text information that is confidential and anonymous
 - Computer tips which are also confidential
 - The Sioux County Sheriff has a phone app available to the public

Staff Interviews:

- All staff interviewed stated they would begin the first responder protocol for an allegation of sexual abuse or harassment if they were informed by a third party and not the victim.

Inmate Interviews:

- During the interviews of random inmates, several inmates stated they could have a family or friend report an allegation of sexual abuse or harassment to the authorities.
- Inmates could also report to their attorney, volunteer or mental health staff.

Observations:

- Sioux County Web Site information is posted for third party information.
- Sioux County Web Site includes an anonymous “Text a Tip” and “Computer Tip” for the public to report.
- SCJF Lobby has multiple reporting information pamphlets available to public.
- Postings in Pods advise inmates they can have a third party report allegations.
- The public visitation room has the PREA reporting information posted for all visitors and inmates.

Policy:

- 2.22 Section D

Documentation:

- Sioux County Jail Web Site
- Iowa Sexual Abuse Hotline
- PREA Posting
- Preventing Sexual Misconduct form

Standard 115.61 Staff and agency reporting duties

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF policy 2.23 regarding staff reporting assures that all staff are required to immediately report any knowledge, suspicion or information regarding an incident of sexual of sexual abuse or sexual harassment that occurred in the Sioux County Jail; retaliation against offenders or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

The SCJF policy also requires that jail staff are not allowed to reveal any information of a sexual investigation or other information obtained to anyone other than, to the extent necessary, to make treatment, investigation and other security decisions.

The SCJF has implemented a first responder checklist that is available to all staff in the event of a report. This checklist includes the reporting of information to a supervisor.

The SCJF also implements a flow sheet to advise staff of the process in case of a sexual abuse or harassment allegation. Reporting of information by mental health staff in the jail is required for Iowa Mandatory Reporters. They must report any information of a confidential nature that involves sexual abuse or harassment as it pertains to possible criminal charges.

All reports will be referred first to SCJF administration and then to investigations.

Staff Interviews:

- Staff were all aware of their responsibility to report allegations to their supervisors immediately upon receiving information on allegations.
- During the interviews with the multiple staff members, they all were aware of keeping all information about their job and responsibilities as confidential. If there were any reports made, they would give that information to administration, investigators or other staff that would need the information for purposes of the inmate's safety or investigation.
- Staff were aware of the need to monitor for any retaliation of reporting both for staff and inmates and report this to a supervisor if needed.

Observations:

- During the on site audit tour it was observed the inmate's files and all confidential documentation were kept in secured areas not available to anyone other than security personnel or those required to access the information.
- Booking files were secured in the Jail Intake area
- Medical files were secured in the Jail Intake area
- PREA files were secured in the Jail Commander's office

Policy:

- 2.23 Section A

Documentation:

- Sioux County Sheriff's Office Sexual Abuse Reporting Flow Sheet
- Sexual Assault Plan and Checklist

Standard 115.62 Agency protection duties

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The response protocol of the SCJF for a sexual abuse or harassment report includes the reporting of the allegation to a supervisor and also directs staff to protect the safety of the victim and relocate the victim if accommodations are needed.

This safety and relocation of the inmate will be completed upon receiving information of substantial risk. Training received by staff includes how to detect and respond to signs of threatened and actual sexual abuse.

Placement of inmates are reassessed when warranted due to referral, request, incident of sexual abuse or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.

Policy 2.23 also states:

- When staff learns that an offender is subject to a substantial risk of imminent sexual abuse, it shall take immediate action to protect the offender.

Staff Interviews:

- All staff stated that if they received information about an inmate who could be subject to substantial risk, the inmate would immediately be placed in a secure area pending an investigation or more information obtained.
- This information would be passed on to the supervisor and all other security staff that would need the information to keep the inmate safe.

Observation:

- The SCJF has multiple pods that can be used to move inmates for their safety.

Policy:

- 2.20 Section A
- 2.21 Section A
- 2.23 Sections B and D

Documentation:

- Sioux County Sheriff's Office Sexual Abuse Reporting Flow Sheet
- Sexual Assault Plan and Checklist

Standard 115.63 Reporting to other confinement facilities

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These

recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

Standard 115.63 requires the agency head of where the report was taken to contact the agency head of where the alleged infraction took place. Notification must be provided within 72 hours of allegation.

The SCJF has implemented into policy 2.23 stating:

- Upon receiving an allegation that an offender was sexually abused while confined at another facility, the Jail Commander shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred.
- Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation.
- The Jail Commander shall document such notification.

Staff Interviews:

- Interviews involving both the Jail Commander and the Sheriff revealed they would report any allegation to the agency where the infraction took place and documentation completed.
- The information and report to the agency head would be completed immediately upon learning the incident took place outside of the SCJF.
- Staff advised there have been no reports of allegations of sexual abuse or harassment from either within the SCJF or that was reported to have occurred in another facility.

Observations:

- There were no reports of allegations to be observed in the PREA File.

Policy:

- 2.23 Section C

Standard 115.64 Staff first responder duties

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The Sioux County Jail First Responder duties under policy 2.23 include upon learning of an allegation that an offender was sexually abused, the first staff member to respond to the report shall be required to:

- Separate the alleged victim and abuser;
- Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence (when law enforcement arrives);
- 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;
- 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.

The Sioux County Sheriff’s Office has implemented a PREA Flow Chart to guide staff on the procedures to follow upon a sexual abuse report being taken.

Sioux County has also implemented a first responder protocol or “Sexual Assault Response Plan and Checklist. “ This is a comprehensive listing of multiple duties that includes the above first responder duties when a report is made. This list is kept in the jail control room and is available to staff members whenever the need arises.

Staff Interviews:

- The security staff at the SCJF have multiple duties that include being first responders.
- All staff interviewed have had training and knew they would first make sure the victim was safe by removing the alleged victim from the perpetrator.
- They also said the victim would be instructed on what to do to preserve evidence.
- The first responder would contact a supervisor and any other person that would need to get involved with the victim’s safety or the investigation.
- The first responders all knew where they could place victims and perpetrators to keep all inmates safe while still preserving evidence.
- Staff also stated they would assist the investigator as needed.
- There were no staff interviewed that have taken a report of sexual abuse or sexual harassment at the SCJF.

Observations:

- The SCJF has ample space and holding cells to secure victims from perpetrators in both the housing unit and in the booking area.
- The Sexual Assault Response Plan and Checklist is available for all security staff and is kept in the control room.
- There were no inmates at the SCJF that had reported allegations of sexual assault or harassment to interview.

Policy:

- 2.23 Section D

Documentation:

- Sioux County Sheriff’s Office Sexual Abuse Reporting Flow Sheet
- Sexual Assault Response Plan and Checklist

Standard 115.65 Coordinated response

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF has a written plan (flow chart) to give response protocol upon receiving information of an alleged abuse incident for first responders, medical and mental health, investigators and administration.

The SCJF has a written “Staff on Offender “Sexual Assault Flow Sheet” that is available to all staff. This checklist includes the separation of the alleged victim from the perpetrator. This includes the ability to remove staff from the contact with the alleged victim.

The SCJF has also implemented the “Sexual Assault Response Plan and Checklist” for all staff to follow in the event of a sexual abuse or harassment allegation. This includes:

- Separate the Victim
- Emergency Medical Care
- Notify Supervisor
- Notify Jail Administrator
- Secure Scene
- Evidence Protocol
- Advise No Personal Hygiene
- Transport to Hospital
- Notify Victim Advocate
- Assist Investigations as Requested

- Document
- Obtain Videos

Staff Interviews:

- All staff interviewed have had training and knew they would first make sure the victim was safe by removing the alleged victim from the perpetrator.
- They also said the victim would be instructed on what to do to preserve evidence.
- The first responder would contact a supervisor and any other person that would need to get involved with the victim’s safety or the investigation.
- The first responders all knew where they could place victims and perpetrators to keep all inmates safe while still preserving evidence.
- Staff also stated they would assist the investigator as needed.
- There were no staff interviewed that have taken a report of sexual abuse or sexual harassment at the SCJF.

Observations:

- The SCJF has ample space and holding cells to secure victims from perpetrators in both the housing unit and in the booking area.
- The Sexual Assault Response Plan and Checklist is available for all security staff and is kept in the control room.
- There were no inmates at the SCJF that had reported allegations of sexual assault or harassment to interview.

Policy:

- 2.23 Section D
- 2.24 Section A

Documentation:

- Sioux County Sheriff’s Office Sexual Abuse Reporting Flow Sheet
- Sexual Assault Response Plan and Checklist

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

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF has a written policy to give response protocol upon receiving information of an alleged abuse incident for first responders, medical and mental health, investigators and administration.

- This policy allows for staff to be removed from the contact of the alleged victim.

Policy 2.23 states under Preservation of Ability to Protect Offenders From Contact With Abusers:

- Neither the Sioux County Jail nor any other governmental entity responsible for collective bargaining on the Sioux County Jail's behalf shall enter into or renew 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.

Administrative Interviews:

- The Sheriff advised the Sioux County Sheriff’s Office personnel are not under any collective bargaining agreements and he is not held to a contract prohibiting him from removal of staff during an investigation.
- The Sheriff will place staff on administrative leave pending the outcome of an investigation.
- The investigative staff is trained to investigate both criminal and administrative allegations.

Policy:

- 2.23 Section E

Documentation:

- Sioux County Sheriff's Office Sexual Abuse Reporting Flow Sheet
- Sioux County Employee Handbook and Policy Manual

Standard 115.67 Agency protection against retaliation

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF has implemented policy 2.23 to prevent retaliation for reporting a staff on inmate sexual misconduct as required by PREA standard 115.67, this policy states in part:

- SCJF will employ multiple protection measures such as housing changes or transfers
- Removal of the alleged staff or inmate from contact with victims
- Emotional support services for those fearing retaliation of reporting
- For at least 90 days, follow up monitoring of victims and staff will be conducted
- Monitoring includes offender disciplinary reports, housing or program changes or negative performance reviews or reassignments.
- Periodic checks of victims and staff within the 90 day monitoring
- Monitoring can be continued beyond the 90 days if needed.
- The agency's obligation to monitor shall terminate if the agency determines the allegation is unfounded.

Staff Interviews:

- Staff stated they would monitor any retaliation of inmates and it would be part of their daily responsibilities.
- Inmates could be placed in housing units where they would be safe from retaliation.
- Supervisory staff would monitor and document any staff misconduct and report this to the PREA Coordinator.
- Supervisory staff advised if there were an allegation of an abuser being a staff member, the staff member would not be allowed to have contact with the victim.

Administrative Interview:

- The Sheriff stated he would place an inmate either in a different housing unit or facility if needed for the safety of the inmate.

Observations:

- There were no reports of sexual abuse or harassment at the SCJF for monitoring to occur.
- The SCJF has multiple housing units available to place victim if there is a need for classification changes.

Policy:

- 2.23 Section F

Standard 115.68 Post-allegation protective custody

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The design and inmate population allows the SCJF to place inmates in protective custody housing unit that does not restrict any privileges or programs that are allowed to other inmates at the SCJF.

The SCJF policy includes a classification review of an inmate’s risk of victimization or abusiveness not to exceed 30 days after initial classification. The classification review will be completed sooner or at any time new information is obtained that would influence a status change.

Staff Interviews:

- Staff advised that they have not held an inmate in segregated housing or protective custody due to victimization in the last several years.
- Staff also stated that if an inmate was to be held in protective custody, they would not be restricted from any programs or other opportunities offered other inmates.
- If there were an inmate at high risk of victimization, they stated the inmate would be placed in a housing pod that would be safe from predators.
- This pod is open for all routine daily activities and there would be no restrictions on any programs or other opportunities that other inmates would have.
- Staff stated they were aware of the reclassification policy of 30 days if needed but they would use any new information obtained before the 30 day requirement to review placement.

Inmate Interviews:

- During the interview of inmates, there were no inmates that reported to be at high risk of sexual victimization.
- There were no inmates that had been held in segregated housing due to a risk of victimization or due to the risk screening answers during booking.
- There were no inmates that have been denied any access to programs or other opportunities while incarcerated.

Observations:

- The housing units are designed to have cells and a common day area for the general population, inmates are classified and placed in a safe unit for their needs.

Policy:

- 2.21 Section A

Standard 115.71 Criminal and administrative agency investigations

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

SCJF Policy 2.24 addresses the requirements of PREA Standard 115.71 involving Criminal and Administrative Investigations.

- Investigations into allegations of sexual abuse and sexual harassment shall be done promptly, thoroughly and objectively for all allegations including third party and anonymous.
- The investigator assigned to any sexual assault or harassment complaints will be trained in sexual abuse investigations procedures, including interviews and evidence collection.

- All information including evidence and statements obtained during an investigation will be documented.
- The investigator will work with the prosecuting attorney for determination of criminal charges and other assistance or recommendations regarding the investigation.
- Investigators will not compel an alleged victim to submit to a polygraph or other truth telling device.
- Administrative investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse;
- 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.
- The Sioux County Jail shall retain all written reports for as long as the alleged abuser is incarcerated or employed by the Sioux County Jail, plus five years.
- The departure of the alleged abuser or victim from the employment or control of the facility or Sioux County Jail shall not provide a basis for terminating an investigation.
- Any investigative unit, (if not investigated by Sioux County Jailor Sheriff's Office staff), shall do so pursuant to the above requirements.
- When outside agencies investigate sexual abuse, the facility shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation.
- The investigation will be completed even if reported by a third party.

As listed in 115.34:

- Policy 2.20 Section D for Specialized training, Investigations requires the SCJF to train their agency investigator to include 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.

Investigator Interview:

- During the interview, it was learned the Investigator has completed the PREA required training and has the specialized training in 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.
- This training has been through the PREA Resources website and all modules completed with certificates obtained.
- The Investigator also has an extensive investigatory background as he is the primary investigator for the Sioux County Sheriff's Office.
- The Investigator has been trained in evidence collection including DNA and other physical and circumstantial evidence.
- A thorough investigation including interviews of all victims, witnesses and perpetrators will be conducted.
- The Investigator will work with the Prosecuting Attorney for recommendations and whether to pursue criminal charges or administrative sanctions.
- All aspects of an investigation will be documented.
- If the Iowa Division of Criminal Investigation is requested to investigate, the Sioux County Investigator will remain informed of the investigation.

Observations:

- There have been no sexual assault or harassment reports at the SCJF to warrant an investigation.

Policy:

- 2.24 Section A

Documentation:

- Investigator Training Certificates

Standard 115.72 Evidentiary standard for administrative investigations

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion

must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

Policy 2.24 requires Sioux County to follow PREA Standard 115.72 by stating:

- Evidentiary Standard for Administrative Investigations:
 - The Sioux County Jail shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

This investigation will be conducted with the assistance and recommendation of the Sioux County Attorney's Office and information will be turned over to Sioux County Sheriff for administrative sanctions as required.

Investigator Interview:

- The Investigator advised that an administrative investigation would use the "Preponderance of Evidence" standard and not the criminal standard.
- This information would be turned over to the Sheriff for administrative action.

Policy:

- 2.24 Section B

Standard 115.73 Reporting to inmates

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

Policy 2.24 addresses the response to an inmate's allegation of sexual abuse or harassment.

Upon completion of the investigation and if the inmate is still custody of the SCJF, the inmate will be notified on the outcome of the investigation and all reporting documented.

- The inmate will be advised whether the allegation was substantiated, unsubstantiated or unfounded.
- If the Sioux County Jail did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the offender.
- Following an offender's allegation that a staff member has committed sexual abuse against the offender, the Sioux County Jail shall subsequently inform the offender (unless the Sioux County Jail has determined that the allegation is unfounded) whenever:
 - The staff member is no longer in the offender's facility;
 - The staff member is no longer employed at the facility;
 - The Sioux County Jail learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or
 - The Sioux County Jail learns that the staff member has been convicted on a charge related to sexual abuse within the facility.
- Following an offender's allegation that he or she has been sexually abused by another offender, the Sioux County Jail shall subsequently inform the alleged victim whenever:
 - The Sioux County Jail learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or
 - The Sioux County Jail learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.
- All such notifications or attempted notifications shall be documented.
- The Sioux County Jail's obligation to report under this standard shall terminate if the offender is released from the Sioux County

Jail's custody.

Administrative Interview:

- The Sheriff advised he would obtain all the information from the investigator to report the findings to the inmate as per the policy.

Policy:

- 2.24 Section C

Standard 115.76 Disciplinary sanctions for staff

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

Sioux County Jail Facility Policy 2.25 is in accordance with PREA Standard 115.76 by stating in part:

Disciplinary Sanctions for Staff:

- Staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.
- Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse.
- Disciplinary sanctions for violations of policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history and the sanctions imposed for comparable offenses by other staff with similar histories.
- 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, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.

Sioux County also uses an "Employee Handbook and Policy Manual"

- Policy 2.2 of this handbook prohibits sexual abuse and harassment in the workplace.
 - Discipline can include termination from the work force.

Administrative Interview:

- The Sheriff stated pending the outcome of a sexual abuse or harassment investigation, the staff member would be placed on administrative leave.
- Upon completion of the investigation and findings of substantiated sexual abuse, the employee will be terminated.
- The appropriate Law Enforcement Agencies will be notified in the event of a substantiated sexual abuse.

Observations:

- There have been no reports of sexual abuse or harassment investigated at the SCJF.

Policy:

- 2.25 Section A
- Sioux County Employee Handbook Policy 2.2

Standard 115.77 Corrective action for contractors and volunteers

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF has in place a policy for prohibiting contact with inmates of any volunteer or contractor who engages in sexual abuse or harassment.

- This policy also requires notification to other law enforcement agencies of criminal activity.
- The SCJF will take appropriate remedial measures of contractors or volunteers to prevent further contact with inmates.

Administrative Interviews:

- The SCJF Administration stated if there were an allegation of sexual abuse or harassment against a volunteer or contractor, that volunteer or contractor would not be allowed access to the facility pending investigation.
- If the investigation revealed a violation, the volunteer or contractor would not be allowed back into the facility.
- Possible criminal charges could be brought upon the volunteer or contractor.

Volunteer / Contractor Interviews:

- Interviews with the volunteers and contractors of the SCJF revealed they have been trained on the zero tolerance policy and how to report an allegation.
- The volunteers and contractors stated they would be denied access to the SCJF pending an investigation and that they could face criminal charges based on the investigation.
- The volunteers and contractors noted they were usually always accompanied by staff when near inmates and when they were not accompanied by staff, they were being observed by CCTV.

Inmate Interviews:

- The inmates interviewed stated that during their stay at the SCJF if a vendor or contractor was in the housing unit then they would be locked down.
- There were no inmates reporting any violation of volunteers or contractors.

Observations:

- During the audit tour a mental health professional was on site. This contractor was given a visitation room to speak to the inmate. This visitation was completed through the glass and no contact was allowed.

Policy:

- 2.25 Section B

Documentation:

- Contractor / Volunteer Training signature form

Standard 115.78 Disciplinary sanctions for inmates

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

Policy 2.25C addresses the Disciplinary Sanctions for inmates by stating in part:

- Inmates of the SCJF are held to administrative disciplinary sanctions pursuant to a formal disciplinary process and finding that the inmate engaged in inmate on inmate sexual abuse or upon a criminal finding of guilt.
- Inmate rules do not allow any form of sexual contact among SCJF inmates.
- The administrative sanctions are posted in the Inmate Rule Book.
- Sanctions are listed for violating the listed prohibited acts.
- The disciplinary process shall consider whether an offender's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.
- The SCJF will offer therapy, counseling or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to require the offending offender to participate in such interventions as a condition of access to programming or other benefits.
- The Sioux County Jail may discipline an offender for sexual contact with staff only upon a finding that the staff member did not consent to such contact.
- For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.
- The Sioux County Jail may, in its discretion, prohibit all sexual activity between offenders and may discipline offenders for such activity. The Sioux County Jail may not, however, deem such activity to constitute sexual abuse if it determines that the activity is not coerced.

The SCJF follows the Iowa Code Chapter 50 regarding a formal disciplinary process for violations of jail rules and Grievance procedures.

- This disciplinary process is for administrative actions for rule violations.
- The disciplinary process is documented in the 2017 Iowa Jail Inspection Report.

Administrative Interviews:

- Interviews of administrators advised an investigation will be conducted for all allegations and reports.
- The information obtained could result in administrative sanctions which are conducted by the SCJF administration.
- The sanctions used for violation of the rules are based on seriousness of the offense.
- There have been no recent reports of inmate on inmate sexual abuse or administrative sanctions at the SCJF to have been documented.

Mental Health Staff Interviews:

- Interview with mental health staff confirmed the counselling and therapy would be conducted in coordination with the assistance and recommendation of the Centers Against Abuse and Sexual Assault (CAASA)

Policy:

- 2.25 Section C
- 6.02

Documentation:

- Inmate Rule Book
- Disciplinary Process form
- 2017 Iowa Jail Inspection Report

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

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

- Does Not Meet Standard (requires corrective action)

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF uses a screening tool to determine medical and mental health problems of the inmates at time of booking. This screening tool is used in conjunction with the classification and victimization information obtained for housing placement.

The screening tool used by the SCJF does include the question:

- “Has the inmate previously experienced sexual victimization in an institutional setting and / or in the community?”
 - If answered “ YES”
 - Mental Health staff will conduct a follow up meeting within the 14 day requirements of the PREA Standard.
- Inmates that report they have been sexually victimized are given the opportunity for therapy and counselling through the Centers Against Abuse and Sexual Assault.
- All medical records are secured and information is limited to medical and mental health practitioners and staff as necessary to inform treatment plans and security management decisions.
- Medical and mental health practitioners obtain informed consent from inmates before reporting info of prior sexual victimization that did not occur in an institution.

Mental Health Staff Interview:

- Interview with Mental Health staff confirmed that if an inmate responds that they have been a sexual assault victim, follow up services will be implemented.
- Mental Health staff stated they are on site part time and will meet with the inmate victim within one week of the inmate's arrival to the jail.
- If there are any medical needs, the jail staff will transport the inmate to the nearest hospital.
- Mental Health staff will assume a support role with the Centers Against Abuse and Sexual Assault and their recommendations.
- Mental Health staff also stated they would advise the inmate of their duty to report as an Iowa Mandatory Reporter.
- Mental Health staff also stated the medical files and any reports would be kept in a secured area available only to those needing the information to assure the inmate's safety.

Inmate Interviews:

- There were no inmates interviewed that reported any sexual abuse either within a facility or the community.

Observations:

- The medical records are secured in the Intake area at the SCJF.
- The SCJF does not have medical staff on site. During any medical request or emergency, the inmate is transported to the Orange City Hospital.
- The Mental Health staff at the SCJF will recommend and support the recommendations of the Medical Doctors.

Policy:

- 2.21 Section A
- 2.26 Section B

Documentation:

- “Booking Screening for Risk of Sexual Victimization and Abusiveness”

Corrective Action Required:

- During the booking and risk assessment process, as per PREA Standard 115.41, if an inmate states they have been a victim of sexual abuse or have perpetrated sexual abuse, staff shall ensure the inmate is offered a follow up meeting with a mental health practitioner within 14 days.
- During the on site audit, it was found there was no event or notification to mental health professionals for follow up within the 14 days as required under PREA Standard 115.81. Without a notification, the inmate may not be given the follow up meeting.
- The PREA Coordinator will add to the policy that if an inmate answers “Yes” to having been a victim or perpetrated sexual abuse while in custody or out of custody, staff will post in the event calendar a notice to mental health practitioners to conduct a follow up meeting within the 14 day period.
- The PREA Coordinator will train all staff on the policy and procedure to notify the mental health practitioner.

Corrective Action Taken:

- This auditor confirmed the Sioux County Jail Facility has established the practice of entering a scheduled event to have counselling within 14 days as required if an inmate answers “Yes” to having been a victim or perpetrated sexual abuse while in custody or out of custody.
- A check of the booking records showed an event was scheduled for an inmate who advised they had been a victim or perpetrator of sexual abuse.

With the Corrective Action taken, the Sioux County Jail has met the requirements of PREA Standard 115.81.

Standard 115.82 Access to emergency medical and mental health services

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF offers access to medical and mental health services, policy 2.26 states in part:

- Offender victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.
- The Sioux County Jail first responders shall take preliminary steps to protect the victim pursuant and shall immediately notify the appropriate medical and mental health practitioners.
- Offender victims of sexual abuse while incarcerated shall be offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.
- Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.
- All inmates reporting sexual victimization during screening will be offered a follow up meeting with medical or mental health practitioners within 14 days of screening.

The SCJF uses Centers Against Abuse and Sexual Assault as a care provider.

The SCJF transports all inmates to the Orange City Area Health System Hospital and they have entered into a Memo of Understanding with the SCJF to provide care for victims of sexual abuse and comply with all PREA as it applies to the National Protocol for Sexual Assault Medical Forensic Exams and follow up requirements.

Staff Interviews:

- Administration and Line Staff advised all inmates are transported to the local hospital for any and all medical needs. This includes emergency and requested services.
- Administration advised they will follow all medical protocol and recommendations from medical professionals.
- These services will be of no cost to victims without financial costs.

Policy:

- 2.26 Section B

Documentation:

- Letter of Understanding from the Centers Against Abuse and Sexual Assault
- MOU with Orange City Area Health System
- MOU from Creative Living Center PC

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

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF offers medical and mental health evaluation and treatment of inmates who have been victimized by sexual abuse or abusers in correctional facilities per policy 2.26 which states in part:

This treatment includes:

- Follow up services
- Treatment plans
- Pregnancy tests
- STD testing
- Referrals upon release from the SCJF
- These services will be provided without cost to the victim

The SCJF uses Centers Against Abuse and Sexual Assault for follow up care and support services as a care provider.

The SCJF transports all inmates to the Orange City Area Health System Hospital and they have entered into a Memo of Understanding with the SCJF to provide care for victims of sexual abuse and comply with all PREA as it applies to the National Protocol for Sexual Assault Medical Forensic Exams and follow up requirements.

Staff Interviews:

- Administration and Line Staff advised all inmates are transported to the local hospital for any and all medical needs. This includes emergency and requested services.
- Administration advised they will follow all medical protocol and recommendations from medical professionals.
- These services will be of no cost to victims without financial costs.

Policy:

- 2.26 Section B

Documentation:

- Letter of Understanding with Centers Against Abuse and Sexual Assault
- MOU with Orange City Area Health System
- MOU from Creative Living Center PC

Standard 115.86 Sexual abuse incident reviews

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These

recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF has implemented a review policy 2.27 to be completed at the conclusion of every sexual investigation unless the allegation has been unfounded.

This policy of incident review is required to occur within 30 days of the investigation.

The policy also includes the make-up of a review team to include upper level supervisors, line staff recommendations, medical and mental health professionals and investigators.

The review team is tasked with:

- Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse.
- Consider whether the incident or allegation was motivated by race; ethnicity; gender identity, lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility;
- Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
- Assess the adequacy of staffing levels in that area during different shifts;
- Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.
- Prepare a report of its findings and recommendations for improvement and submit such report to the Sioux County Jail Facility Jail Commander or PREA Compliance Manager.
- The Sioux County shall implement the recommendations, or document its reasons for not doing so.

Administrative Interviews:

- The Sheriff and Jail Commander stated they have had no incidents or reports of sexual abuse or harassment to review.
- The SCJF administration will assemble a review team and conduct these reviews as policy states for the safety and protection of inmates.

Observations:

- There were no reports of sexual abuse or harassment to review at the on site audit.
- There were no inmates who reported any allegations of sexual abuse or harassment to interview.

Policy:

- 2.27 Section A

Standard 115.87 Data collection

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF has addressed the Data Collection in their policy manual as set in standard 115.87.

Policy 2.27 includes:

- Sioux County shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.
- The agency shall aggregate the incident-based sexual abuse data at least annually
- The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.
- The agency shall maintain, review, and collect data as needed from all available incident based documents, including reports,

investigation files, and sexual abuse incident reviews.

- The agency also shall obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates.
- Upon request, the SCJF shall provide all such data from the previous calendar year to the Department of Justice no later than 30 days.

Administrative Interviews:

- The Sheriff and Jail Commander stated they have had no incidents or reports of sexual abuse or harassment to review.
- The SCJF administration will review all data annually and report their findings as the policy states.

Observations:

- There were no reports of sexual abuse or harassment to review at the on site audit.

Policy:

- 2.27 Section B

Standard 115.88 Data review for corrective action

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF has implemented a data review for corrective action 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
- Taking corrective action on an ongoing basis
- Preparing an annual report of its findings and corrective actions.

Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse.

- The SCJF's report shall be approved by the Jail Commander and made available to the public through its website.
- The SCJF may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.

Administrative Interview:

- Both Sheriff and Jail Commander confirmed they will review all data obtained from the previous year and use this information to identify any problem areas and take corrective action as needed.
- An annual report will be prepared and posted on the agency web site with their findings and corrective actions.
- This report will be approved by the Sheriff before being made public.
- The Sheriff may redact personal information from this report if it presents a safety or security threat. The redacted information will be noted.

Policy:

- 2.27 Section C

Standard 115.89 Data storage, publication, and destruction

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The SCJF has addressed the standard regarding Data storage, publication and destruction in their policy manual by stating:

- The SCJF shall ensure that data collected are securely retained.
- The SCJF shall make all aggregated sexual abuse data is under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website.
- Before making aggregated sexual abuse data publicly available, the SCJF shall remove all personal identifiers.
- The SCJF shall maintain sexual abuse data collected for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise.

Observations:

- The SCJF has a web site to publish the PREA reporting information.
- The PREA coordinator has a secure file that is accessible only by the Jail Commander, PREA Coordinator and Sheriff.

Policy:

- 2.27 Section D

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.

Kevin Boldt

K Boldt LLC
Auditor Signature

12-13-17

Date