

Prison Rape Elimination Act (PREA) Audit Report Adult Prisons & Jails

Interim Final

Date of Report May 11, 2018

Auditor Information

Name: Cynthia Malm	Email: cmalm@idahosheriffs.org
Company Name: Idaho Sheriffs' Association	
Mailing Address: 3100 Vista Ave., Ste. 203	City, State, Zip: Boise, Idaho 83705
Telephone: 208-346-1065	Date of Facility Visit: January 8 – 10, 2018

Agency Information

Name of Agency: Madison County Sheriff's Office		Governing Authority or Parent Agency (If Applicable): Madison County	
Physical Address: 145 E. Main		City, State, Zip: Rexburg, ID 83440	
Mailing Address: Same		City, State, Zip: <small>Click or tap here to enter text.</small>	
Telephone: 208-372-5005		Is Agency accredited by any organization? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
The Agency Is:	<input type="checkbox"/> Military	<input type="checkbox"/> Private for Profit	<input type="checkbox"/> Private not for Profit
<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> County	<input type="checkbox"/> State	<input type="checkbox"/> Federal

Agency mission: The Madison County Sheriff's Office is devoted to serving and protecting all of Madison County. We will be qualified, dedicated, courteous and ethical in the performance of our duties. Our Pledge and Promise as professionals is to be fair and consistent without discrimination. Through team work and by promoting the highest standards and accountability, we are committed to being the best.

Agency Website with PREA Information: www.madisonsheriff.com

Agency Chief Executive Officer

Name: Rick Henry	Title: Sheriff
Email: rhenry@madisonsheriff.com	Telephone: 208-372-5000

Agency-Wide PREA Coordinator

Name: Jared Willmore	Title: Lieutenant/Jail Administrator
Email: jwillmore@madisonsheriff.com	Telephone: 208-372-5002
PREA Coordinator Reports to: Sheriff Rick Henry and Chief Deputy Bart Quayle	Number of Compliance Managers who report to the PREA Coordinator 0

Facility Information

Name of Facility: Madison County Detention Center								
Physical Address: 145 E. Main, Rexburg, ID 83440								
Mailing Address (if different than above): Same								
Telephone Number: 208-372-5002								
<table border="1" style="width: 100%;"> <tr> <td>The Facility Is:</td> <td><input type="checkbox"/> Military</td> <td><input type="checkbox"/> Private for profit</td> <td><input type="checkbox"/> Private not for profit</td> </tr> <tr> <td><input type="checkbox"/> Municipal</td> <td><input checked="" type="checkbox"/> County</td> <td><input type="checkbox"/> State</td> <td><input type="checkbox"/> Federal</td> </tr> </table>	The Facility Is:	<input type="checkbox"/> Military	<input type="checkbox"/> Private for profit	<input type="checkbox"/> Private not for profit	<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> County	<input type="checkbox"/> State	<input type="checkbox"/> Federal
The Facility Is:	<input type="checkbox"/> Military	<input type="checkbox"/> Private for profit	<input type="checkbox"/> Private not for profit					
<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> County	<input type="checkbox"/> State	<input type="checkbox"/> Federal					
Facility Type: <input checked="" type="checkbox"/> Jail <input type="checkbox"/> Prison								
Facility Mission: Same as Madison County Sheriff's Office								
Facility Website with PREA Information: www.madisonsheriff.com								

Warden/Superintendent

Name: Jared Willmore	Title: Lieutenant/Jail Administrator
Email: jwillmore@madisonsheriff.com	Telephone: 208-372-5002

Facility PREA Compliance Manager

Name: N/A	Title: Click or tap here to enter text.
Email: Click or tap here to enter text.	Telephone: Click or tap here to enter text.

Facility Health Service Administrator

Name: Jeffrey Keller	Title: Doctor
Email: jkeller@badgermedicine.com	Telephone: 208-552-9831

Facility Characteristics

Designated Facility Capacity: 96	Current Population of Facility: 79
Number of inmates admitted to facility during the past 12 months	781

Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for 30 days or more:		259	
Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for 72 hours or more:		670	
Number of inmates on date of audit who were admitted to facility prior to August 20, 2012:		0	
Age Range of Population:	Youthful Inmates Under 18: None	Adults: 18 - 85	
Are youthful inmates housed separately from the adult population?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input checked="" type="checkbox"/> NA	
Number of youthful inmates housed at this facility during the past 12 months:		0	
Average length of stay or time under supervision:		N/A	
Facility security level/inmate custody levels:		Low, medium, high	
Number of staff currently employed by the facility who may have contact with inmates:		26	
Number of staff hired by the facility during the past 12 months who may have contact with inmates:		2	
Number of contracts in the past 12 months for services with contractors who may have contact with inmates:		0	
Physical Plant			
Number of Buildings: 2		Number of Single Cell Housing Units: 0	
Number of Multiple Occupancy Cell Housing Units:		8	
Number of Open Bay/Dorm Housing Units:		2	
Number of Segregation Cells (Administrative and Disciplinary):		4	
Description of any video or electronic monitoring technology (including any relevant information about where cameras are placed, where the control room is, retention of video, etc.):			
<p>The facility has the Avigilon camera software for its security cameras. Cameras view every area of the facility, entrances and exits, and the secure parking area between the men's facility and the women's facility. Control rooms are centrally located in each building that monitor all of the camera views.</p>			
Medical			
Type of Medical Facility:		Clinic	
Forensic sexual assault medical exams are conducted at:		Madison Memorial Hospital in Rexburg, ID	
Other			
Number of volunteers and individual contractors, who may have contact with inmates, currently authorized to enter the facility:		34	
Number of investigators the agency currently employs to investigate allegations of sexual abuse:		2 administrative; 2 criminal	

Audit Findings

Audit Narrative

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

The Prison Rape Elimination Act (PREA) on-site audit of the Madison County Detention Center in Rexburg, Idaho was conducted on January 8 - 10, 2018 by Cynthia Malm from Pocatello, Idaho, a U.S. Department of Justice Certified PREA auditor for adult facilities. Pre-audit preparation included a thorough review of all documentation and materials submitted by the facility on a flash drive along with the data included in the completed Pre-Audit Questionnaire. The auditor reviewed documentation that included agency policies and procedures, detention policies and procedures, forms, education materials, training curriculum, organizational charts, mission statements, checklists, posters, inmate handbooks, flyers, website information, and other PREA related materials that were provided to demonstrate compliance with the PREA standards. This review prompted a series of questions that were noted on the auditor's compliance tool and the auditor posed the questions to the PREA Coordinator/Jail Administrator and both Sergeants at the on-site audit.

An entrance meeting was held with Lt. Jared Willmore, the Jail Administrator/PREA Coordinator, Sgt. Mitch Grover and Sgt. Jason Horrocks of the Madison County Sheriff's Office. Lt. Willmore provided the auditor a list of all of the staff of the facility and their schedules, including specialized staff, and a list of all of the inmates in the facility and where they were housed. The auditor explained the process of the audit and answered any questions the agency had about the audit process.

During the three days of the on-site audit, the auditor was provided a private room within the detention center from which to work and conduct confidential interviews of staff and inmates. Formal personal interviews were conducted with facility staff, specialty staff, inmates, and contract employees. The auditor interviewed a total of ten inmates who were randomly selected from each of the ten housing units in the detention center and one additional who is non-English speaking. Two inmates were interviewed who had disclosed prior sexual abuse in the community as young people. There were no youthful, transgender, intersex, or disabled inmates in the facility to interview. There were no inmates in segregated housing who had been a victim of sexual abuse for the auditor to interview. Inmates were interviewed using the recommended DOJ protocols that question their knowledge of a variety of PREA protections, generally and specifically, their knowledge of reporting mechanisms available to inmates to report abuse or harassment. All of the inmates I interviewed acknowledged that they had received training on PREA at booking and received a PREA pamphlet and inmate handbook that contained information on how to report a sexual assault or sexual harassment. All stated they had additional training every month of their incarceration and felt that the PREA training in the Madison County Jail was very comprehensive. The auditor reviewed several forms inmates had signed at booking acknowledging that they had been given information on the zero-tolerance policy for sexual abuse and sexual harassment and how to report incidents. Many of the inmates interviewed praised all of the detention staff of the Madison County Detention Center and stated that they treat them very well

and respectfully in the facility and the deputies would respond quickly to any sexual abuse or sexual harassment.

The auditor interviewed sixteen staff members representing two shifts (1st shift 5:00 a.m. to 5:00 p.m. and 2nd shift 5:00 p.m. to 5:00 a.m.). Included in the sixteen interviews were specialty staff, including shift sergeants, medical staff (contract staff), administrative and criminal investigators, and retaliation monitoring staff. Ten staff were interviewed as random staff and, because all of the staff work many posts, some of them were also asked questions about intake, screening, searches, and first responder duties. Also interviewed were the Sheriff, Chief Deputy, and the Jail Administrator/PREA Coordinator. Staff were interviewed using the DOJ protocols that question their PREA training and overall knowledge of the agency's zero tolerance policy, reporting mechanisms available to inmates and staff, the response protocols when an inmate alleges sexual abuse or sexual harassment, and first responder duties. There are no SAFE or SANE employees at the facility as they are made available at the Madison Memorial Hospital in Rexburg, Idaho. All staff were very knowledgeable about PREA and their responsibilities in preventing, detecting, and reporting sexual abuse and sexual harassment. All confirmed that they have yearly training on those responsibilities. The auditor reviewed random staff training records, rosters for attendance at PREA training and the curriculum taught at the training to determine compliance with training mandates. The auditor also reviewed background check procedures for hiring and the list of detention staff who have had background checks at a minimum of every five years after hire. Files for several inmates in the facility were reviewed to evaluate screening and intake procedures, inmate education, and documentation of the education.

Following the entrance meeting, the auditor toured the facility from 8:30 a.m. – 10:15 a.m. and was escorted by Lt. Jared Willmore, Jail Administrator/PREA Coordinator, Sgt. Jason Horrocks, and Sgt. Mitch Grover. There is a male facility and a female facility that are detached from each other but are easily accessible to each other through a secure parking area. Both facilities have the same administration and staff and staff rotate working between the two facilities and, therefore, they are both part of one facility. During the tour, the auditor reviewed the booking process, observed the facility configuration, camera and mirror placement throughout the facility, blind spots, kitchen area, laundry, medical room, recreation areas, staff placement for supervision of inmates, toilet and shower areas, notices posted throughout the building and documentation to assist in determining compliance with the standards. The auditor noted that most shower areas in the men's facility allow inmates to shower separately while four housing units have multiple showers. Showers in the men's facility have half walls as barriers to prevent inmates being seen naked while showering. All of the housing units in the men's facility are multiple occupancy and have wet cells where the toilets are in the individual cells. Inmates may close the door to the cell when using the toilet. The auditor reviewed the camera views on a monitor in the Control Room and verified that toilets and showers were not monitored by the cameras. In the women's facility, three of the four housing units have doors providing a barrier to being seen in the shower and the fourth housing unit has one door to the bathroom and a curtain for the shower. All are single showers. In two of the housing units, toilets are behind metal doors and in the other two, toilets are in the individual cells and the inmates may close the doors to the cell when using the toilet. None of the showers and toilets can be viewed on camera. Notices of the PREA audit were posted throughout the facilities in the dayrooms. During the tour, the auditor was given privacy to talk informally to staff and inmates in the booking room, housing units, and work areas. The auditor interviewed several staff members working their posts to ask questions about their positions, procedures in their areas, and how their areas contributed to protection from sexual abuse and sexual harassment.

After the facility tour and interviews, the auditor reviewed questions noted on the auditor's compliance tool with Lt. Jared Willmore, Sgt. Jason Horrocks, and Sgt. Mitch Grover and reviewed additional documentation to verify compliance with the standards.

At the conclusion of the on-site visit, an exit meeting was held between the auditor, Lt. Willmore, Sgt. Horrocks, and Sgt. Grover to discuss the audit findings and all discussed possible corrective actions that could be taken by the facility to achieve compliance with the standards that were not met.

Facility Characteristics

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

The Madison County Sheriff's Office operates the Madison County Detention Center which is an indirect detention facility with a rated capacity of 96 beds, plus the addition of 3 holding cells and 1 detox cell. The Madison County Detention Center is located at 145 E. Main St., Rexburg, Idaho 83440.

The facility has two buildings identified as East and West which are within a secure perimeter. The East building holds female inmates and the West building holds male inmates. The East building consists of four pods. Two of the pods are a dayroom with cells while the other two are open dorm layouts. The East building has one holding cell and the Control Room is located in the center of the building. The East building also has its own secure recreation yard, storage room, and Medical Room. The total bed count for the East building is 28.

The West building consists of six pods, all of which are a day room with cells. The West Building has 2 holding cells and 1 detox cell. The West building includes a full kitchen, laundry room, library, and recreation area. All the meals are prepared in the kitchen at the West building and the Administrative offices are located in the booking area of the West building. The Control room for the West building is centrally located within the facility in a horse shoe shape and layout. The total bed count for the West building is 68.

New arrests are brought to the Madison County Detention Center through the secure sally port at the West building and then brought into the intake area of the secure facility. The arrestee is pat searched and then brought to the booking counter for processing.

The booking area consists of Administration Offices, two holding cells, one detox cell, a Medical Room, Booking area, property storage room, intake shower, and fingerprint station.

Both buildings are monitored and operated by the Control Room located in the center of each building. The control system is a digital simplex system that allows door operations, intercom functions, light and power controls, and security camera monitoring. The control rooms are staffed at all times by one staff member who is the main contact and control operator while performing the control board operations.

The camera system is an Avigilon Control system which allows monitoring of all cameras in the East, West, and Courthouse buildings. All camera footage is recorded and reviewed as needed.

The Madison County Sheriff's Office is attached to the jail outside the secure perimeter through a connecting hallway. Inmates are not allowed access to the Sheriff's Office side of the facility without supervision.

Summary of Audit Findings

The summary should include the number of standards exceeded, number of standards met, and number of standards not met, **along with a list of each of the standards in each category.** If relevant, provide a summarized description of the corrective action plan, including deficiencies observed, recommendations made, actions taken by the agency, relevant timelines, and methods used by the auditor to reassess compliance.

Auditor Note: No standard should be found to be “Not Applicable” or “NA”. A compliance determination must be made for each standard.

Number of Standards Exceeded: 2

115.31, 115.42

Number of Standards Met: 41

115.11, 115.12, 115.13, 115.14, 115.15, 115.16, 115.17, 115.18, 115.21, 115/22, 115.32, 115.33, 115.34, 115.35, 115.41, 115.43, 115.51, 115.52, 115.53, 115.54, 115.61, 115.62, 115.63, 115.64, 115.65, 115.66, 115.67, 115.68, 115.71, 115.72, 115.73, 115.76, 115.77, 115.78, 115.81, 115.82, 115.83, 115.86, 115.87, 115.88, 115.89

Number of Standards Not Met: 0

Summary of Corrective Action (if any)

115.15 (d) requires staff of the opposite gender to announce their presence when entering an inmate housing unit. The Madison County Detention Center has this in policy but not in practice. The Madison County Detention Center will begin ensuring this policy is followed by having staff announce each time they enter the housing unit of the opposite gender. Documentation showing the policy is being followed consistently will be sent to the auditor within 180 days of the receipt of this interim report.

Corrected May 7, 2018

115.16 (a and b) require agency to provide disabled and limited English proficient inmates equal opportunity to participate in or benefit from all aspects of the agency’s efforts to prevent, detect, and respond to sexual abuse and sexual harassment. The Madison County Detention Center has this in policy but does not have any procedures for obtaining sign language interpreters or language interpreters for anyone other than Spanish speaking inmates. The Madison County Detention Center will attempt to enter into agreements with sign language interpreters and a language line to provide these services to the inmates or will look at comparable alternatives. Documentation showing these agreements, or the development of other reasonable procedures to provide these services, should be sent to the auditor within 180 days of the receipt of this interim report.

Corrected May 7, 2018

115.17(f) requires the facility to ask applicants and employees who may have contact with inmates directly about previous misconduct in either hiring applications, interview and hiring boards, or in self-evaluations. The Madison County Detention Center Policy states that it will do this but the question is not on the application and there is no process in place to ask the questions by other means. The Madison County Detention Center will amend its policy to specifically require when the question will be asked of applicants and current employees and will develop procedures to ask the question in hiring and promotion boards and in the yearly PREA training. The facility will be looking at creating a form that can be filled out by applicants during the hiring process and for promotion boards. The Madison County Detention Center will send the amended policy and documentation confirming procedures are in place to the auditor within 180 days of the date of this interim report.

Corrected May 7, 2018

115.22(b) requires the facility to publish on its website, its policy regarding the referral of allegations of sexual abuse or sexual harassment for criminal investigation. The Madison County Detention Center has not published this policy on the Sheriff's website. The Detention Center will publish this information on its website and will advise the auditor of the addition to the website for the auditor's review. This will be done within 180 days of the date of this interim report.

Corrected May 7, 2018

115.33(d) requires the facility to provide inmate education in formats accessible to all inmates, including disabled and limited English proficient. The Madison County Detention Center has nothing in place to provide PREA education to deaf inmates or inmates who speak any language other than English or Spanish. The Madison County Detention Center will attempt to enter into agreements with sign language interpreters and a language line to provide these services to the inmates or will look at comparable alternatives. Documentation showing these agreements, or the development of other reasonable procedures to provide these services, should be sent to the auditor within 180 days of the receipt of this interim report.

Corrected May 7, 2018

115.41(d) requires ten items be included on the risk screening form. The Madison County Detention Center policy states that all are on the form but #10, whether the inmate is detained solely on civil immigration charges, is not on the form. This item will be added to the form and sent to the auditor within 180 days of the receipt of this interim report.

Corrected May 7, 2018

115.41(f) requires the inmate's risk of victimization or abusiveness be reassessed within 30 days after their arrival at the facility. The Madison County Detention Center has in policy that this will be done by Medical but it is not being done. The Madison County Detention Center will develop a procedure to do this reassessment and will revise the policy to reflect the new procedure. This procedure and policy revision will be sent to the auditor within 180 days of the receipt of this interim report.

Corrected May 7, 2018

115.63(d) requires that allegations received from other facilities and agencies are investigated in accordance with the PREA standards. The Madison County Detention Center does not have any policies or procedures in place for this. The Madison County Detention Center will add to its PREA Policy the procedures that will be followed if they are notified that an inmate reports to another facility or agency that he or she was sexually abused in the Madison County Detention Center. This addition to policy and procedure will be sent to the auditor within 180 days of the receipt of this interim report.

Corrected May 7, 2018

115.73(a) requires the agency has a policy requiring that any inmate who makes an allegation that he or she suffered sexual abuse in an agency facility is informed, verbally or in writing, of the results of the investigation. Madison County Detention Center has this in policy but is not doing it in practice. The Madison County Detention Center will ensure that the policy of notifying the inmate is followed. Verification that this will be implemented will be sent to the auditor within 180 days of the receipt of this interim report.

Corrected May 7, 2018

115.87 (a) requires that the facility collect accurate uniform data for every allegation of sexual abuse using a standardized instrument and set of definitions. The Madison County Detention Center uses the actual survey form of the Survey of Sexual Violence. However, a non-criminal inmate-on-inmate sexual abuse allegation was investigated as a sexual harassment and the data was not put on the survey form. The Madison County Detention Center will aggregate the data on the form and will send the form to the auditor within 180 days of the receipt of this interim report.

Corrected May 7, 2018

115.88 requires the detention center review data collected and aggregated and write an annual report of the data collected comparing this year's corrective actions and corrective actions from prior years of sexual abuse. The Detention Center has not written an annual report even though the policy states that it will do so annually. The Madison County Detention Center plans on writing the first annual report in January of 2018 for the 2017 calendar year of data and will send the annual report to the auditor, along with the website it is displayed on, within 180 days of the receipt of this interim report.

Corrected May 7, 2018

115.89 (b) requires the detention center make all aggregated sexual abuse data available to the public at least annually through its website. The Madison County Detention Center has not written an annual report and the information is not on the website. The Madison County Detention Center will aggregate the sexual abuse data, write an annual report, and put it on their website. The collection of data will be completed in January, 2018 for the calendar year of 2017. The Detention Center will send the data and annual report to the auditor, along with the website it is displayed on, within 180 days of the receipt of this interim report.

Corrected May 7, 2018

PREVENTION PLANNING

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

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

115.11 (a)

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

115.11 (b)

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

115.11 (c)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.11(a) The Madison County Detention Center has implemented a zero-tolerance policy as detailed in their PREA Policy, Chapter 1 which comprehensively outlines the agency's approach to preventing, detecting, and responding to all forms of sexual abuse and sexual harassment. The policy contains necessary definitions, sanctions, and descriptions of the agency strategies and responses to sexual abuse and harassment. This policy forms the foundation for the program's training efforts with inmates, staff, volunteers, contractors, and others. All interviews reflected that staff and inmates are aware of this zero-tolerance policy.

115.11(b) The facility has designated an upper-level, agency-wide PREA Coordinator, Lt. Jared Willmore, to oversee policy and procedure development and operations in reference to sexual abuse and sexual harassment. Lt. Willmore is also the Jail Administrator. The PREA Coordinator reports directly to the Madison County Sheriff's Office Chief Deputy, Bart Quayle, who, in turn, reports directly to the Madison County Sheriff, Rick Henry. Lt. Willmore indicated that he has sufficient time and authority to develop, implement, and oversee the agency's efforts toward PREA compliance and Chief Deputy Quayle and Sheriff Henry confirmed that Lt. Willmore has full support of the Sheriff's Office in all of his efforts to bring the Detention Center into compliance with the PREA standards.

115.11(c) The Madison County Sheriff's Office operates only one facility and, therefore, has not assigned a PREA Compliance Manager to the facility.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 1
Madison County Detention Center's Organizational Chart
Interview with Sheriff Rick Henry
Interview with Chief Deputy Bart Quayle
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore

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

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

115.12 (a)

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

115.12 (b)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.12(a-b) The Madison County Detention Center does not contract with external facilities to house or confine any of its inmates and there haven't been any contracts of this type during the twelve months prior to the PREA audit. This standard is, therefore, not applicable to the Madison County Detention Center.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

Standard 115.13: Supervision and monitoring

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

115.13 (a)

- Does the agency ensure that each facility has developed a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse? Yes No
- Does the agency ensure that each facility has documented a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration the generally accepted detention and correctional practices in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration any judicial findings of inadequacy in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration any findings of inadequacy from Federal investigative agencies in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration any findings of inadequacy from internal or external oversight bodies in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration all components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated) in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration the composition of the inmate population in calculating adequate staffing levels and determining the need for video monitoring? Yes No

- Does the agency ensure that each facility's staffing plan takes into consideration the number and placement of supervisory staff in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration the institution programs occurring on a particular shift in calculating adequate staffing levels and determining the need for video monitoring? Yes No NA
- Does the agency ensure that each facility's staffing plan takes into consideration any applicable State or local laws, regulations, or standards in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration the prevalence of substantiated and unsubstantiated incidents of sexual abuse in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration any other relevant factors in calculating adequate staffing levels and determining the need for video monitoring? Yes No

115.13 (b)

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

115.13 (c)

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

115.13 (d)

- Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment? Yes No
- Is this policy and practice implemented for night shifts as well as day shifts? Yes No

- Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility? Yes No

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.13(a) The Madison County Detention Center ensures that the facility develops, documents, and makes its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse. The average number of inmates incarcerated in the Madison County Detention Center during the twelve months prior to the audit was 79 and the staffing plan was predicated on 79 inmates. The staffing plan requires a minimum of five detention staff on each shift plus four supervisors on weekday shifts. One or two supervisors are on weekend day shifts and one supervisor is on night shifts. Whenever a supervisor is not on shift, a sergeant is on call for the shift. In calculating adequate staffing levels and determining the need for video monitoring, the facility takes into consideration the eleven mandatory elements and considerations required by this PREA Standard:

- (1) Generally accepted detention and correctional practices;
- (2) Any judicial findings of inadequacy;
- (3) Any findings of inadequacy from Federal investigative agencies;
- (4) Any findings of inadequacy from internal or external oversight bodies;
- (5) All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated);
- (6) The composition of the inmate population;
- (7) The number and placement of supervisory staff;
- (8) Institution programs occurring on a particular shift;
- (9) Any applicable State or local laws, regulations, or standards;
- (10) The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and
- (11) Any other relevant factors.

115.13(b) Lt. Willmore confirmed there were no deviations from the staffing plan over the 12 months prior to the audit and the facility has in place procedures to ensure all positions are covered with either overtime personnel or reserve deputies, when necessary, to avoid deviations from the staffing plan.

115.13(c) The staffing plan is reviewed once a year to determine if it is still adequate to meet the needs of the Madison County Detention Center and protect inmates from sexual abuse. The last review was completed on December 21, 2017 by Lt. Jared Willmore and Sheriff Rick Henry. During the staffing analysis, Lt. Willmore considered whether the current staffing plan was adequate, what video monitoring systems were in place and if they were sufficient to detect sexual abuse and sexual harassment within the facility. He also reviewed resources available to the facility to ensure adherence with the staffing plan. Lt. Willmore determined that no changes to the staffing plan were needed. The current staffing plan of the Madison County Detention Center requires a total of twenty-six detention deputies.

115.13(d) The Madison County Detention Center has detailed in PREA Policy, Chapter 1, the practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment. Corporals, Sergeants, and the Lieutenant conduct the rounds. A review of the documentation of unannounced supervisor rounds confirmed that the rounds are done randomly on all shifts. This was also verified through informal interviews with staff at their posts during the audit tour and through formal interviews with random staff and supervisors. Interviews confirmed that the rounds are unannounced and staff are prohibited from alerting other staff that the rounds are taking place. The supervisors often assist the detention deputies in conducting their regular thirty-minute rounds so staff are not aware when the round being done is the unannounced round to identify and deter staff sexual abuse and sexual harassment.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 1
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Idaho Jail Standards
Madison County Detention Center Staffing Plan
Documentation of the annual review of the Madison County Detention Center Staffing Plan
Documentation evidencing the conduct of unannounced supervisor rounds on every shift
Informal interviews with staff during the audit tour
Formal interviews with random staff and intermediate or higher-level staff
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator
Madison County Detention Center population report for 2017

Standard 115.14: Youthful inmates

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

115.14 (a)

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

115.14 (b)

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

115.14 (c)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.14(a) The Madison County Detention Center has detailed in its PREA Policy, Chapter 1, how a youthful inmate would be housed in the facility. During the 12 months prior to the audit, the Madison County Detention Center reported that it has not housed any youthful inmates. Youthful inmates are sent to Five C Juvenile Facility to be housed. The Detention Center has kept the policies in place for the rare occasion that they may be required to house a youthful inmate under Idaho law. If a youthful inmate is placed in the Madison County Detention Center, the Detention Center will not place the inmate in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate through use of a shared dayroom or other common space, shower area, or sleeping quarters.

115.14(b) Referring to the PREA Policy, Chapter 1, the Madison County Detention Center will either maintain sight and sound separation between youthful inmates and adult inmates in areas outside of housing units or will provide direct supervision when youthful inmates and adult inmates have sight, sound, or physical contact.

115.14(c) The Madison County Detention Center has detailed in its PREA Policy, Chapter 1, that the Detention Center will make its best efforts to avoid placing a youthful inmate in restrictive housing to comply with this standard. Absent exigent circumstances, the facility does not deny youthful inmates daily large-muscle exercise and any legally required special education services while in the facility. The policy also states that youthful inmates are given access to other programs and work opportunities to the extent possible.

The auditor is relying on the policy and interviews with Lt. Jared Willmore and the Sergeants to confirm this standard as there was no documentation to review since the Detention Center has not housed any youthful inmates in the 12 months prior to the audit.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention PREA Policy, Chapter 1
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator
Interviews with Sergeants
Interviews with random staff
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Madison County Detention Center Population Report for 2017

Standard 115.15: Limits to cross-gender viewing and searches

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

115.15 (a)

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

115.15 (b)

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

115.15 (c)

- Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches? Yes No
- Does the facility document all cross-gender pat-down searches of female inmates?
 Yes No

115.15 (d)

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

115.15 (e)

- Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status? Yes No
- If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that

information as part of a broader medical examination conducted in private by a medical practitioner? Yes No

115.15 (f)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.15(a) The Madison County Detention Center's PREA Policy, Chapter 1 details that cross gender strip searches are prohibited unless exigent circumstances exist or when performed by medical practitioners and the policy lists some examples of exigent circumstances. Only medical practitioners can perform intrusive or invasive body cavity searches under all circumstances. There were no cross-gender strip searches done in the 12 months prior to the audit for the auditor to review.

115.15(b) The Madison County Detention Center policy states that male staff are prohibited from conducting pat down searches of female inmates except in exigent circumstances. In the past 12 months, no cross-gender pat down searches of female inmates were done. Interviews with female inmates confirmed that female deputies conduct all pat down searches of female inmates and the facility does not restrict female inmate's programming or other out-of-cell activities when a female deputy is not available to conduct a pat down search.

115.15(c) The Madison County Detention Center requires that all cross-gender strip searches of male and female inmates and all cross-gender pat down searches of female inmates must be documented and explain the exigent circumstances that required the search.

115.15(d) The Madison County Detention Center policy and practice ensures that inmates are able to shower, perform bodily functions, and change clothing with privacy. Interviews with random inmates revealed that the inmates are being provided this privacy in the housing units and the majority of the inmates stated that the staff of the Madison County Detention Center are very respectful about their privacy. Policy and practice require announcement when staff of the opposite gender enter the housing unit. Lt. Willmore explained that an announcement is made once at the beginning of the shift and, again, during the shift. Interviews with random staff and inmates confirmed that cross gender announcements are not being made each time the deputy walks into the unit. Deputies rotate throughout the shift on who conduct the rounds and checks of the housing units so it will not always be a cross gender check. Single announcements at the beginning of the shift are not enough to satisfy this standard. Therefore, the auditor finds that the Madison County Detention Center does not meet this part of the standard.

115.15(e) Madison County Detention Center policy and practice prohibit searching or physically examining a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. Interviews with staff confirmed they knew the policy and no searches of this type have been done.

115.15(f) The Madison County Detention Center has provided training to 100% of the staff regarding how to conduct cross gender pat down searches and searches of transgender and intersex inmates in a professional manner. Training is done after hire at the P.O.S.T Basic Detention Academy. Staff are also required to watch the NIC video, "Guidance in Cross Gender and Transgender Pat Searches". Interviews with staff indicated that they all were aware of how to physically conduct the searches and the importance of being professional during the searches. Policy requires that transgender and intersex inmates are allowed to designate their search preference and their requests are honored.

There were no transgender or intersex inmates in the facility at the time of the audit.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center's Policy 15.1
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator
Interviews with random inmates and staff
PREA training curriculum
P.O.S.T. PREA training curriculum
Training rosters of staff

CORRECTIVE ACTION REQUIRED:

1. The Madison County Detention Center should enforce the policy and practice of having detention staff announce when they are entering a housing unit of opposite gender inmates.

All corrective action should be sent to the auditor within 180 of the date of the interim report so that a final report can be issued.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

On May 3, 2018, the auditor visited the Madison County Detention Center and observed staff conducting their regular security checks. Staff were not aware of what the auditor was observing and the auditor noted the following:

1. The Madison County Detention Center staff announced every time that they entered a housing unit of the opposite gender inmates.

The auditor has viewed the announcements and the Madison County Detention Center is now fully compliant with this standard.

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

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

115.16 (a)

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

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

115.16 (b)

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

115.16 (c)

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

Auditor Overall Compliance Determination

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

Does Not Meet Standard (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.16(a) The Madison County Detention Center PREA Policy, Chapter 1, ensures that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. A staff member will read the information on reporting and responding to sexual abuse or sexual harassment to inmates who have low vision or are blind. The facility also has the capability of printing off large print editions of the inmate handbook and PREA information to give to inmates. The Madison County Detention Center will locate someone who can effectively communicate with inmates with psychiatric, intellectual or speech disabilities such as their contract Mental Health practitioner. Madison County Detention Center's PREA policy states that it "will provide interpreters as necessary, including sign language for the deaf. An interview with Lt. Willmore indicated that they would obtain a sign language interpreter, if needed, but had no specific source as there are no contracts in place for interpreters. Therefore, the auditor finds that the Madison County Detention Center does not meet this part of the standard.

All staff receive yearly training on PREA compliant practices for inmates with disabilities and inmates with limited English proficiency in their annual PREA training. The auditor reviewed the training curriculum and verified that the information was in the training. There were no inmates with disabilities that would limit their ability to understand the procedures for reporting sexual abuse or sexual harassment in the facility at the time of the audit.

115.16(b) The Madison County Detention Center has established procedures to provide inmates with limited English proficiency equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Pamphlets explaining the inmate's right to be free from sexual abuse and sexual harassment are available in a Spanish version. Posters in both English and Spanish are hung on the wall of the housing unit and explain how to report a sexual abuse or sexual harassment. And, the inmate handbook is available in both English and Spanish. There are also several staff in the agency who speak fluent Spanish and are used to interpret, when needed. Lt. Willmore stated that the staff can use Google Translate for inmates who speak other languages but no specific procedures are in place. Therefore, the auditor finds that the Madison County Detention Center does not meet this part of the standard.

There were two limited English proficient inmates in the facility at the time of the audit who both spoke only Spanish. The auditor interviewed one of them with the help of a staff interpreter. The inmate was able to tell the auditor about the zero-tolerance policy for sexual abuse and sexual harassment and knew how to report an incident. The inmate indicated that the agency has staff who speak Spanish and can communicate with them.

115.16(c) Madison County Detention Center PREA Policy, Chapter 1, prohibits the facility from using inmate interpreters, readers, or other inmate assistants except in limited circumstances where safety could be compromised waiting for other assistance. The Detention Center reports that there have been no instances in the past 12 months where inmate interpreters have been used. Interviews with random

staff confirmed that inmate interpreters are not used unless there are exigent circumstances and no one could remember a time that inmate interpreters were used.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 1
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator
Interviews with random facility staff
Interviews with one limited English proficient inmate
Samples of PREA posters and pamphlets translated into Spanish
Yearly PREA training curriculum for staff

CORRECTIVE ACTION REQUIRED:

1. The Madison County Detention Center should locate a sign language interpreter(s) and enter into an agreement for them to translate in the detention center when there is an inmate who is hard of hearing or deaf.
2. The Madison County Detention Center should put into procedure the use of Google Translate for staff to follow or enter into an agreement with a language line to provide interpretation services for inmates who are limited English proficient.

All corrective action should be sent to the auditor within 180 of the date of the interim report so that a final report can be issued.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

On May 7, 2018, the Madison County Detention Center sent the auditor verification and copies of documentation that the corrective action noted in the interim report has been corrected as follows:

1. The Madison County Detention Center has acquired access to a language line service through the internet that will assist in translation in the detention center when there is an inmate who is hard of hearing or deaf. The language line does not need a written agreement as it is a pay as you go service.
2. The Madison County Detention Center has acquired access to a language line service through the internet that will assist in translation in the detention center when there is an inmate who is limited English proficient. The language line does not need a written agreement as it is a pay as you go service.

The auditor has reviewed all of the documents that were sent and the Madison County Detention Center is now fully compliant with this standard.

Standard 115.17: Hiring and promotion decisions

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

115.17 (a)

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

115.17 (b)

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

115.17 (c)

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

115.17 (d)

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

115.17 (e)

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

115.17 (f)

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

115.17 (g)

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

115.17 (h)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.17(a) Madison County Detention Center PREA Policy, Chapter 1 prohibits the hiring, promotion or retention of any employee who may have contact with inmates and will not enlist the services of any contractor that has the prohibited conduct specified in this standard. The background investigation also includes a criminal backgrounds check of all applicants for employment or contracting services. In addition to policy, detention deputies are required to be state certified within one year of hire and the Idaho P.O.S.T. Academy requires a thorough background check on any detention employee who will be attending the P.O.S.T Academy.

115.17(b) The Madison County Sheriff's Office considers any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.

115.17(c) In addition to conducting criminal background checks prior to hiring an applicant, the Madison County Sheriff's Office contacts all prior institutional employers for information on substantiated allegations of sexual abuse or any pending investigations of allegations of sexual abuse. In the past 12 months, two people have been hired who have contact with inmates and both of them have had extensive background and criminal history checks completed prior to their hiring.

115.17(d) Madison County Detention Center's PREA Policy, Chapter 1, requires that a criminal background record check be completed before enlisting the services of any contractor who may have contact with inmates. In the past twelve months, the Madison County Sheriff's Office has conducted criminal background record checks on all six contract employees who have been hired and have contact with inmates.

115.17(e) Madison County Detention Center's PREA Policy, Chapter 1, requires a criminal background records check on all employees every five years. Documentation provided at the audit confirmed that the Madison County Detention Center is completing a criminal background records check on all current employees and contractors at least every five years. The procedure requires all staff have a criminal background records check done at the same time every five years even if they have not worked for the agency that long.

115.17(f) The Madison County Detention Center PREA Policy, Chapter 1, states, "The Sheriff's Office will ask all applicants and employees who may have contact with inmates directly about previous misconduct, as described above, in either written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of reviews of current employees. Employees and contractors have a continuing affirmative duty to notify the Jail Administrator in writing if they have been involved in any such misconduct". However, a review of the application for hire revealed that the question is not on the application. And, an interview with Lt. Jared Willmore disclosed that there is nothing specific in the procedures for hiring or promotion interview boards. Therefore, the auditor finds that the practice does not match the policy and the Madison County Detention Center does not meet this part of the standard.

Per policy, employees have a continuing affirmative duty to disclose any misconduct.

115.17(g) The Madison County Detention Center's PREA Policy, Chapter 1 states that material omissions regarding such misconduct or provision of materially false information shall be grounds for termination.

115.17(h) Policy requires the Madison County Sheriff's Office to 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 request is forwarded to the Sheriff to provide the response. The Madison County Sheriff's Office does require that the requesting agency provide a signed release of information from the applicant before giving the agency the requested information.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center's PREA Policy, Chapter 1
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator
Idaho P.O.S.T. IDAPA Rules
Idaho Jail Standards
List of employee background records checks

CORRECTIVE ACTION REQUIRED:

1. The Madison County Detention Center should amend the policy to identify specifically when to ask all applicants and employees who may have contact with inmates directly about previous sexual misconduct.
2. The Madison County Detention Center should put into practice the amended policy on reporting sexual misconduct.

Documentation confirming implemented policy and practices should be sent to the auditor within 180 days of the date of the interim report so that a final report can be issued after the 180-day corrective action period has ended.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

On May 7, 2018, the Madison County Detention Center sent the auditor verification and copies of documentation that the corrective action noted in the interim report has been corrected as follows:

1. The Madison County Detention Center has created a form that is filled out by applicants during the hiring process and for promotion boards. The form requires every applicant and employee applying for promotion to read the policy on sexual misconduct and sign the policy of understanding and duty to report any prior or current sexual misconduct.

The auditor has reviewed all of the documents that were sent and the Madison County Detention Center is now fully compliant with this standard.

Standard 115.18: Upgrades to facilities and technologies

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

115.18 (a)

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

115.18 (b)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.18(a) The Madison County Sheriff's Office and Madison County Detention Center haven't had any acquisitions of new facilities or substantial expansions or modifications of the current Jail since August 20, 2015.

115.18(b) The Madison County Detention Center has both internal and external video camera monitoring. Cameras are positioned on all external entrances and exits from the building. Cameras internally are located in hallways, dayrooms, holding cells, support services areas, and internal entrances into the building. Camera views of the toilets and shower areas have been blacked out so there can be no viewing on monitors. The facility replaced all of the old cameras in November of 2016 and currently have 176 total cameras. Three new monitoring stations were also added and the remote capability of viewing from different offices. When installing the new cameras, the agency considered how the technology could protect inmates from sexual abuse. The coverage of the cameras is very extensive and no blind spots were noted.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
- Description of camera placement throughout the facility by Sergeants
- Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator
- Interview with Sheriff Rick Henry
- Interview with Chief Deputy Bart Quayle

RESPONSIVE PLANNING

Standard 115.21: Evidence protocol and forensic medical examinations

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

115.21 (a)

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

115.21 (b)

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

115.21 (c)

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

115.21 (d)

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

115.21 (e)

- As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews? Yes No

- As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals? Yes No

115.21 (f)

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

115.21 (g)

- Auditor is not required to audit this provision.

115.21 (h)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.21(a - b) The Madison County Sheriff's Office and Detention Center follow the Idaho Policing Manual protocol that contains details for obtaining physical evidence for administrative and criminal investigations of sexual abuse. This protocol is used by the Madison County Detective Division when conducting criminal investigations inside and outside the detention facility. The protocol is developmentally appropriate for youth but no youthful inmates are held in the facility. The medical facility, Madison Memorial Hospital, that Madison County takes its' sexual assault victims to for a forensic exam, when needed, has a protocol for collecting evidence and using SANE nurses. It is the same protocol used for criminal cases in the community and has been approved by the courts.

115.21(c) Madison County Detention PREA Policy, Chapter 2 states that all victims of sexual abuse are offered access to forensic medical examinations where evidentiary or medically appropriate and the assault happened within the past 72 hours. There is no financial cost to the victim. The facility they take them to is Madison Memorial Hospital in Rexburg, Idaho. When possible, examinations are performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs). When SANEs or SAFEs are not available, a qualified medical practitioner performs a forensic medical examination. Attempts to get a SAFE or SANE are documented. This information is based on the policy as there were no forensic medical examinations performed during the last twelve months.

115.21(d) The Madison County Detention Center has an MOU dated May 2, 2017 with the Family Crisis Center located in Rexburg, Idaho to provide rape crisis services and counseling to victims of sexual assault. The number to the Family Crisis Center is a 24/7 hotline number. This information is provided to inmates on a poster on the wall of each housing unit. A phone interview with the Family Crisis Center confirmed that they will provide on-site crisis intervention to the Madison County Sheriff's Office in the same manner as they provide other crisis intervention to local law enforcement when a victim discloses rape or sexual assault. That crisis intervention includes advocacy services and support counseling. The Madison County Detention Center will also utilize the agency's Mental Health Provider to assist with mental health counseling and support counseling.

115.21(e) The Madison County Detention Center PREA Policy, Chapter 2, ensures that a victim's advocate, upon request from the inmate, accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provides emotional support, crisis intervention, information and referrals as warranted. The agency has an MOU with the Family Crisis Center to provide these advocacy services 24/7. The Family Crisis Center will also provide on-site mental health counseling, when needed, and the mental health counselor will be trained in the trauma of sexual assault and have skills to assist the sexual assault survivor in healing from the trauma of the assault. Ongoing Mental Health counseling for the victim of sexual abuse will be provided by the Madison County Detention Center's Mental Health provider. There have been no forensic medical examinations done during the last twelve months and a victim's advocate has not been requested or used by inmates.

115.21(f) The Madison County Detention Center has two investigators who work inside the Detention Center to conduct administrative investigations. If the administrative investigation appears to involve criminal elements, the administrative investigators will refer the investigation to the Madison County Detective Division. All investigations that allegedly involve staff, or may have some conflict of interest, are referred outside the agency to Tri-County Investigations Unit. Tri-County Investigators are an organization of investigators and sheriffs from several sheriff's offices around the region that was formed to help each other out with investigations that the Sheriff wants done outside the agency. All people involved in the investigations have had the specialized training for investigators in a confinement center and all detectives have had training on sexual assault investigations. All PREA complaints are investigated for possible criminal activity and the Madison County Sheriff's Office and the Tri-County Investigations unit maintain a close working relationship with the County Prosecutor. Once the criminal investigation is concluded by either the Detective Division or the Tri-County Investigation Unit, the case will be referred back to the Madison County Detention Center for further administrative investigation, (excluding internal investigations of staff) and disciplinary sanctions, if warranted.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention PREA Policy, Chapter 2
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Interview with Sheriff Rick Henry
Interview with Chief Deputy Bart Quayle
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator
Interviews with Madison County Sheriff's Office administrative and criminal investigators
MOU with Family Crisis Center in Rexburg, Idaho
Idaho Policing Manual Evidence Collection Protocol
Training certificates for all PREA investigators within the agency

Standard 115.22: Policies to ensure referrals of allegations for investigations

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

115.22 (a)

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

115.22 (b)

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

115.22 (c)

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

115.22 (d)

- Auditor is not required to audit this provision.

115.22 (e)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.22(a - b) The Madison County Detention Center has two investigators who work inside the Detention Center to conduct administrative investigations. If the administrative investigation appears to involve criminal elements, the Jail Administrator will notify the Sheriff's Office administration who will refer the investigation to the Madison County Detective Division. All investigations that allegedly involve staff are referred outside the agency to the Tri-County Investigations Unit. All people involved in the investigations have had the specialized training for investigators in a confinement setting and all detectives have had training on sexual assault investigations. All PREA complaints are investigated for possible criminal activity and the Madison County Sheriff's Office maintains a close working relationship with the County Prosecutor. Once the criminal investigation is concluded by either the Detective Division or an outside agency, the case will be referred back to the Madison County Detention Center for further administrative investigation, (excluding internal investigations of staff) and disciplinary sanctions, if warranted. Documentation showed that three allegations of inmate-on-inmate sexual harassment were investigated and one non-criminal inmate-on-inmate sexual abuse allegation was investigated with all four of them administrative investigations. All investigations were completed. The allegation of sexual abuse was inmate-on-inmate and was unsubstantiated. Two allegations of inmate-on-inmate sexual harassment were substantiated and one was unsubstantiated.

Agency policy regarding the referral of allegations of sexual abuse and sexual harassment are not published on the agency's website as required by the standard. Therefore, the auditor finds that the Madison County Sheriff's Office does not meet this part of the standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention PREA Policy, Chapter 2
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Madison County Sheriff's Office website: www.madisonsheriff.com
Interview with Sheriff Rick Henry
Interview with Chief Deputy Bart Quayle
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator
Interviews with Madison County Sheriff's administrative investigators and criminal investigators
PREA Investigator training certificates for Madison County Investigators
Logs of sexual abuse and sexual harassment allegations and subsequent investigations

CORRECTIVE ACTION REQUIRED:

1. The Madison County Detention Center should publish on its website the agency policy regarding the referral of allegations of sexual abuse and sexual harassment.

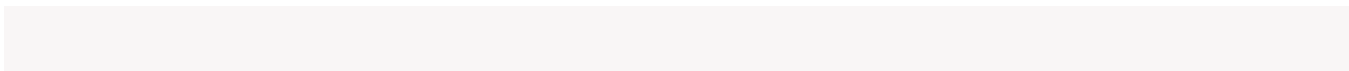
This policy should be published on the website within 180 days of the date of this interim report for the auditor to review and write the final report after the 180 days corrective action period.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

On May 7, 2018, the Madison County Detention Center sent the auditor verification and copies of documentation that the corrective action noted in the interim report has been corrected as follows:

1. The Madison County Detention Center has published on its website the agency policy regarding the referral of allegations of sexual abuse and sexual harassment.

The auditor has reviewed all of the documents that were sent and the Madison County Sheriff's website and the Madison County Detention Center is now fully compliant with this standard.



TRAINING AND EDUCATION

Standard 115.31: Employee training

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

115.31 (a)

- Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment? Yes No
- Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures? Yes No
- Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment Yes No
- Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment? Yes No
- Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement? Yes No
- Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims? Yes No
- Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse? Yes No
- Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates? Yes No
- Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates? Yes No
- Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities? Yes No

115.31 (b)

- Is such training tailored to the gender of the inmates at the employee's facility? Yes No

- Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa? Yes No

115.31 (c)

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

115.31 (d)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.31(a) Madison County Detention PREA Policy, Chapter 3, requires that employees receive one hour of PREA training every year. Documentation provided included three lesson plans that included each of the eleven topics. The staff also update training on PREA policies and procedures yearly and changes that have occurred. Interviews with random staff revealed that the staff have frequent training on PREA and are very knowledgeable on the topics.

115.31(b) The training is tailored to the gender of the inmates at the Madison County Detention Center which houses both female and male inmates. There are two buildings but both are a section of one facility so all employees are trained to work with both genders and there are no reassignments to care for one gender or the other.

115.31(c) The full PREA training is provided to employees every year instead of every other year and included is refresher training on policy and procedure every year. Therefore, the auditor finds that the facility exceeds this part of the standard.

115.31(d) Documentation confirmed through employee signatures that 100% have received this yearly training and that the employees understand the training they received. Interviews of random staff also reflected that all have yearly training in PREA standards and practices.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention PREA Policy, Chapter 3
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
PREA Training Curriculum
Staff signature pages of training received and understanding
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator
Interviews with random staff

Standard 115.32: Volunteer and contractor training

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

115.32 (a)

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

115.32 (b)

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

115.32 (c)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.32(a) Madison County Detention Center PREA Policy, Chapter 3 requires all volunteers and contractors who may have contact with inmates be trained on PREA requirements. The training curriculum includes a very comprehensive power point presentation that covers all the required topics and their responsibilities under the PREA requirements. Thirty-four volunteers and individual contractors who have contact with inmates have been trained in PREA requirements during the last twelve months. This totals 100 % that have been trained.

115.32 The training curriculum was very detailed and showed that contractors and volunteers have extensive training on the zero-tolerance policy, duty to report, warning signs, proper communication with all inmates, first responder duties, and several other aspects of the prevention, detection, and response policies and procedures. All volunteers and contractors receive the comprehensive training regardless of the level of services or contact with inmates.

115.32 All volunteers and contractors are required to sign that they have received the training and understand it. The facility maintains that documentation.

There were no volunteers available at the time of the audit. One contract employee was interviewed (medical health services) and compliance was found with this standard.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 3
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
PREA Training curriculum and materials for volunteer and contractors
PREA Acknowledgement Form for volunteers and contractors
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator
Interview with Medical Health Services contract employee

Standard 115.33: Inmate education

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

115.33 (a)

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

115.33 (b)

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

115.33 (c)

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

115.33 (d)

- Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient? Yes No
- Does the agency provide inmate education in formats accessible to all inmates including those who are deaf? Yes No
- Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired? Yes No

- Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled? Yes No
- Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills? Yes No

115.33 (e)

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

115.33 (f)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.33(a - c) The Madison County Detention Center reports that 781 inmates have been admitted in the past twelve months to the facility and all have been provided with comprehensive information during the intake, booking, and classification process. All inmates in the Madison County Detention Center receive information at intake and a deputy explains the zero-tolerance policy, and explains how to report a sexual abuse or sexual harassment. The inmate signs that he or she has received this information. The inmate is given an inmate handbook that has PREA information within it. PREA training is done monthly with inmates by a Sergeant who, once again, verbally explains the information to the inmates. Inmates are required to sit at the tables and listen to the Sergeant. Interviews with inmates confirmed that the training every month is very comprehensive and the inmates were able to tell the auditor what the policies are for zero tolerance, how to report, and who the advocates are. They stated that the training is some of the best training they have had in the jail facilities they have been in.

115.33(d) The Madison County Detention Center ensures that key information is continuously available to inmates through posters, flyers, and inmate handbooks. PREA posters are displayed in the dayrooms with the abuse hotline number by the phones. Posters and pamphlets are displayed in English and Spanish. The handbook is also available in a Spanish version. Posters are also on the wall of each housing unit that explains how to contact the Family Crisis Center.

Education for inmates who speak English and Spanish is very comprehensive. However, there is nothing in place to educate inmates who speak any other language. The staff will read information to those who are illiterate or have low vision or who are blind. The Mental Health Provider will help with education to those who have psychiatric problems. But, there is nothing in place to provide education to the deaf. Therefore, the auditor finds that the agency does not meet this part of the standard.

Interviews with random inmates revealed that the majority of inmates are retaining the information they are provided through the handbook, posters and flyers. All of the interviews with inmates confirmed that they received training and information on PREA at booking and monthly after booking. All stated that information is posted on the wall of the housing unit, and is in the inmate handbook on how to report a sexual abuse or sexual harassment. All knew they could access a hotline number on the phone. All knew there was a counseling service available and it was a free call. Most knew there were ways to report an incident outside the facility such as the PREA hotline, their attorneys, and friends or families. The majority of the inmates said they felt safe in the Madison County Detention Center and felt that the staff were very professional and take good care of them.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 3
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Inmate Handbook in both English and Spanish
PREA pamphlets displayed in dayrooms in both English and Spanish
PREA Posters displayed in dayrooms in both English and Spanish
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator
Interviews with Detention Sergeants
Interviews with random inmates
Interviews with facility intake staff

CORRECTIVE ACTION REQUIRED:

1. The Madison County Detention Center should locate a sign language interpreter(s) and enter into an agreement for them to translate and assist in inmate education of PREA in the detention center when there is an inmate who is hard of hearing or deaf.
2. The Madison County Detention Center should put into procedure the use of Google Translate for staff to follow or enter into an agreement with a language line to provide interpretation services and assist in inmate education of PREA for inmates who are limited English proficient.

All corrective action should be sent to the auditor within 180 of the date of the interim report so that a final report can be issued.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

On May 7, 2018, the Madison County Detention Center sent the auditor verification and copies of documentation that the corrective action noted in the interim report has been corrected as follows:

1. The Madison County Detention Center has acquired access to a language line service through the internet that will assist in translation in the detention center when there is an inmate who is hard of hearing or deaf. The language line does not need a written agreement as it is a pay as you go service.
2. The Madison County Detention Center has acquired access to a language line service through the internet that will assist in translation in the detention center when there is an inmate who is limited English proficient. The language line does not need a written agreement as it is a pay as you go service.

The auditor has reviewed all of the documents that were sent and the Madison County Detention Center is now fully compliant with this standard.

Standard 115.34: Specialized training: Investigations

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

115.34 (a)

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

115.34 (b)

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

- Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] Yes No NA

115.34 (c)

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

115.34 (d)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.34(a) The Madison County Detention PREA Policy, Chapter 3 requires that all of its employees who investigate sexual abuse and sexual harassment allegations in the facility receive the specialized training for conducting such investigations in confinement settings. The investigators are required to take the on line PREA Investigators course, "Investigating Sexual Abuse in a Confinement Setting" available through the PREA Resource Center and the National Institute of Corrections or the classroom course when it is available.

115.34(b) Specialized training includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. Detectives from the Madison County Sheriff's Detective Division have also had additional training in sexual abuse investigations for their job requirements and are very familiar with the proper use of Miranda and Garrity warning as they use them frequently in their job duties.

115.34(c) The auditor reviewed the Certificates of Completion for the four investigators who took the investigator’s specialized training. Two of the investigators work in the Detention Center and two are in the Detective Division.

Based on the information discovered in the facility’s policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Madison County Detention Center’s PREA Policy, Chapter 3
- Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
- Objectives for the online course, “Investigating Sexual Abuse in a Confinement Setting”
- Training documentation for investigators completing the specialized training
- Interviews with facility investigators
- Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

Standard 115.35: Specialized training: Medical and mental health care

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

115.35 (a)

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

115.35 (b)

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

115.35 (c)

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

115.35 (d)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.35(a) The Madison County Sheriff's Office contracts with Badger Medical to provide medical care at the facility. A medical provider comes to the facility one time a week to provide a clinic for the inmates. Nurses are on duty seven days a week from morning until evening. The hours are flexible depending on the needs of the facility. The nurses are also on call 24/7 and will come in off duty for emergencies. A mental health practitioner comes into the facility every other week to treat inmates. If the need arises, the mental health practitioner will skype with inmates in between clinic visits. Interviews with contract medical staff confirmed that they are provided in-depth training on their responsibilities under PREA. Specialized training includes the four elements required by this PREA standard. The number of medical health practitioners who work regularly at the facility and have the training is five.

115.35(b) The medical contractor does not conduct forensic exams at the Madison County Detention Center. Victims of sexual abuse are transported to Madison Memorial Hospital in Rexburg, Idaho for the exam, when medically appropriate.

115.35(c - d) The contract agency maintains documentation that all medical and mental health practitioners who work at the facility have received specialized training provided by the agency and listed in (a) of this standard. Medical and mental health care practitioners also receive the training mandated for other employees of the facility. An interview with medical staff confirmed that the contract agency provides extensive training on PREA and PREA related responsibilities in the Detention Facility.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy Chapter 3
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
PREA Acknowledgement Form for Volunteers and Contractors
Interview with Medical Health Services Contract Employee
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS

Standard 115.41: Screening for risk of victimization and abusiveness

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

115.41 (a)

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

115.41 (b)

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

115.41 (c)

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

115.41 (d)

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

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

115.41 (e)

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

115.41 (f)

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

115.41 (g)

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

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

115.41 (h)

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

115.41 (i)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.41(a - b) Madison County Detention PREA Policy, Chapter 4 requires the Deputy to complete an initial PREA risk assessment on inmates when they booked into the facility. During the audit tour, the Sergeant explained the booking process. If the assessment cannot be done at booking, it will be completed within 72 hours of booking. The Madison County Detention Center reported that 670 inmates have entered the facility within the past twelve months with a length of stay over 72 hours. All 670 inmates were screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their entry into the facility.

115.41(c - d) The risk assessments are completed on an objective screening instrument that covers nine of the ten topical areas of information as detailed in this standard plus much more. The auditor reviewed several files of inmates and verified that the screening instrument is being used. The policy lists all ten and states they will be considered on the risk screening. However, the screening form does not have number 10 of the standard on it – whether the inmate is detained solely on civil immigration purposes. Therefore, the auditor finds the Madison County Detention Center does not meet this part of the standard.

115.41(e) The screening instrument considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse as known to the agency.

115.41(f) A reassessment of the inmate, using the objective risk screening instrument, is not being conducted within 30 days of intake so the facility can reassess the inmate's risk of sexual abuse. Policy states that, "A re-assessment screening will be conducted by Medical within 30 days after booking and as necessary in response to alleged incident(s) of sexual abuse" but this is not currently being done. Therefore, the auditor finds that the Madison County Detention Center does not meet this part of the standard.

115.41(g) Madison County Detention Center Policy 15.4 also requires that an inmate's risk level be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that directly affects the inmate's risk of victimization or abusiveness.

115.41(h) The policy prohibits the Madison County Detention Center from disciplining inmates for refusing to answer or for not disclosing complete information on any of the screening questions listed in this standard. Because the Madison County Detention Center does not discipline inmates for refusing to answer or not disclose complete information on ANY of the questions for sexual victimization or abusiveness, the auditor finds that the Madison County Detention Center exceeds this part of the standard.

115.41(i) Policy states that strict controls are in place to prohibit staff from using the inmate's responses to the questions on the screening form to the detriment of the inmate. Policy states that if it does happen, the Detention Deputy will face termination or disciplinary action. The screening instruments are accessible to all active Jail staff who can authorize their use for housing, programs, and investigative decisions. The Madison County Detention Center does not have classification officers and all of the jail staff are responsible for housing and program decisions. Any use by someone outside the facility must be authorized by the Jail Administrator or a Sergeant.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 4
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Objective Risk Screening Instrument
Interview with Sergeant
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator
Random Inmate Files

CORRECTIVE ACTION REQUIRED:

1. The Madison County Detention Center should add to its screening form to consider whether the inmate is being held solely for civil immigration purposes.
2. The Madison County Detention Center should develop a procedure to conduct a risk reassessment for sexual abuse of the inmates within 30 days of booking.
3. The Madison County Detention Center should revise the current PREA Policy to reflect the procedure to conduct a risk reassessment of inmates

All corrective action should be sent to the auditor within 180 days of the date of the interim report so that a final report can be issued after the 180-day corrective action period is completed.

Once the Madison County Detention Center has completed corrective action on this standard, the Detention Center will exceed the standard because of 115.41(h).

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

On May 7, 2018, the Madison County Detention Center sent the auditor verification and copies of documentation that the corrective action noted in the interim report has been corrected as follows:

1. The Madison County Detention Center has added to its screening form to consider whether the inmate is being held solely for civil immigration purposes.
2. The Madison County Detention Center has developed a procedure to conduct a risk reassessment for sexual abuse of the inmates within 30 days of booking by a Detention Deputy.
3. The Madison County Detention Center has revised policy to describe the procedure to conduct the risk reassessment.

The auditor has reviewed all of the documents that were sent and the Madison County Detention Center is now fully compliant with this standard.

Standard 115.42: Use of screening information

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

115.42 (a)

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

115.42 (b)

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

115.42 (c)

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

115.42 (d)

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

115.42 (e)

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

115.42 (f)

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

115.42 (g)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.42(a) The Madison County Detention Center PREA Policy, Chapter 4 requires that all information gathered during the intake and assessment process be used to ensure appropriate classification and placement of inmates into housing, work programs, and regular programs as well as any necessary security or protective precautions required to ensure the inmate's safety.

115.42(b) Detention Staff conduct all of the assessments and reassessments of inmates in the facility to make individualized determinations of how to ensure the safety of each inmate.

115.42(c) The Madison County Detention Center policy requires that Classification deputies, detention deputies, and other appropriate personnel carefully consider, on a case-by-case basis, whether placement of a transgender or intersex inmate in a particular housing and bed assignment will ensure the inmate's health and safety and whether or not that placement would present management or security issues.

115.42(d) PREA Policy, Chapter 4 requires that, at least monthly beginning with the intake date, the Detention Center will conduct a reassessment on all transgender and intersex inmates to review any threats of safety experienced by the inmate. The standard requires at least twice a year so the auditor finds that the Madison County Detention Center exceeds this part of the standard.

115.42(e) Transgender and intersex inmates are asked about their own view in respect to their safety while incarcerated in the facility and those considerations are given serious consideration by the Classification Officer when making housing, bed, and programming assignments.

115.42(f) The Madison County Detention Center Policy requires that transgender and intersex inmates will be allowed to shower separately from other inmates.

115.42(g) The Madison County Detention PREA Policy, Chapter 4 prohibits placing lesbian, gay, bisexual, transgender or intersex inmates in a particular housing or bed assignment or other assignment based solely on such identifier or status unless the placement is ordered by a consent decree, legal settlement, or legal judgment of which the intent is the protection of inmates. The Madison County Detention Center is under no such legal restriction.

The Madison County Detention Center reported that they have not had any transgender or intersex inmates in the facility for the previous twelve months. Interviews with staff confirmed this.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention PREA Policy, Chapter 4
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Objective Screening Instrument
Interviews with Sergeants

Interviews with random staff

Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

Standard 115.43: Protective Custody

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

115.43 (a)

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

115.43 (b)

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

115.43 (c)

- Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged? Yes No

- Does such an assignment not ordinarily exceed a period of 30 days? Yes No

115.43 (d)

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

115.43 (e)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.43(a and d) The Madison County Detention Center PREA Policy, Chapter 4 prohibits the Detention Center from placing inmates at high risk for sexual victimization in involuntary restrictive housing unless the determination has been made that this housing assignment best protects the safety of the inmate and a review of other alternatives failed to provide adequate safety from likely abusers. The inmate may be placed in involuntary restrictive housing for a time period, not to exceed 24 hours, in order to complete the assessment and find appropriate housing. The policy details the procedures taken to maintain compliance with this standard. Interviews with random staff revealed no incidents of involuntary housing being used for this purpose during the twelve months prior to the audit.

115.43(b) The policy requires any inmates placed in involuntary restrictive housing have access to programs, privileges, education and work opportunities to the extent possible. If opportunities are

restricted, the Detention Center will document the event in which opportunities have been limited, the duration of the limitation, and the reasons for the limitations.

115.43(c) If no alternative housing can be found immediately, the inmate may normally be held in involuntary restrictive housing for no more than 30 days.

115.43(d) The involuntary restrictive housing of an inmate will be documented in the inmate's logs.

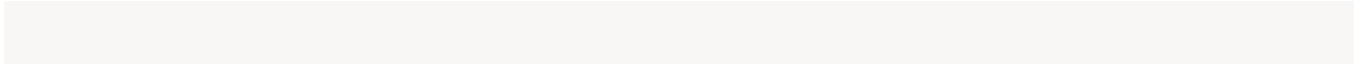
115.43(e) If an involuntary segregated housing assignment is made, a status review of the inmate will be completed every 30 days to determine if there is a continuing need to separate the inmate from the general population. All 30-day status reviews are documented.

At the time of the audit, there were no inmates assigned to involuntary segregated housing to separate them from likely abusers and none for the twelve months prior to the audit. Therefore, the auditor relied on the policies and procedures and the interviews of staff to verify this standard.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews and inmate interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Madison County Detention Center PREA Policy, Chapter 4
- Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
- Objective Risk Assessment Instrument
- Idaho Jail Standards
- Interviews with random staff and inmates
- Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator



REPORTING

Standard 115.51: Inmate reporting

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

115.51 (a)

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

115.51 (b)

- Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency? Yes No
- Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials? Yes No
- Does that private entity or office allow the inmate to remain anonymous upon request? Yes No
- Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? Yes No

115.51 (c)

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

115.51 (d)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.51(a) The Madison County Detention Center clearly outlines multiple ways to privately report a sexual assault, sexual harassment, or retaliation from other inmates or staff for reporting sexual abuse or sexual harassment, and any staff neglect that may have contributed to sexual abuse of sexual harassment. Four ways to report within the facility are explained to the inmates and there are four ways to report a sexual abuse or sexual harassment outside the agency. The reporting methods within the facility include verbally telling a staff member, telling medical staff, telling a supervisor, or submitting a written complaint on the kiosk. The facility provides inmates with writing materials necessary to make a written report and allows inmates to submit written reports confidentially. The information is provided to the inmates in the inmate handbook which is given to the inmate when assigned a housing unit, and it is written on a pamphlet and on posters in the dayroom of their housing units.

115.51(b) The Madison County Detention Center's phone system provides a PREA hotline the inmates can call to make reports of sexual abuse or sexual harassment to the detention phone company who then reports them back to the Madison County Detention Center. There is a "Crime Busters/Jail Rape" reporting hotline the inmates can call to report a sexual abuse or sexual harassment. And, the phone number to the Family Crisis Center is posted in the housing units. If the Crisis Center feels the inmate or others are in danger, or the inmate requests, the Crisis Center will contact the Madison County Detention Center to report the allegation. The facility also notifies inmates they can contact a family member, friend, attorney or anyone else outside the agency that they feel comfortable calling. Inmates are rarely detained solely on civil immigration holds, but the agency has in policy that these inmates are provided information on how to contact relevant consular officials and relevant officials of the Department of Homeland Security. Inmates have access to phones in their dayrooms and policy allows for free phone calls to contact the PREA phone hotline, the "Crime Busters/Jail Rape hotline, and the Family Crisis Center.

115.51(c) The Madison County Detention Center PREA Policy, Chapter 5, requires all staff to accept reports made verbally, in writing, anonymously, and from third parties. Interviews with inmates confirmed that they are all aware of this policy. All allegations are documented promptly upon receipt and reported to a supervisor or the Jail Administrator who will initiate the investigation.

115.51(d) Staff at the Madison County Detention Center can privately report sexual abuse and sexual harassment to the PREA Coordinator or the shift supervisor. If the staff is not comfortable with reporting to either of these, the policy states they can go directly to the Jail Administrator. This information is in the policy. All of the staff I interviewed knew they could privately report to any of these people but all

stated they could go anywhere up the Chain of Command including the Sheriff to report a sexual abuse or sexual harassment. Staff were very complimentary about the extent of the open door policies in the Madison County Sheriff's Office.

Interviews with staff clearly demonstrate they are very knowledgeable about PREA and the variety of methods to report sexual abuse and sexual harassment.

Interviews with inmates clearly demonstrate they are very knowledgeable about how to report a sexual abuse or sexual harassment. All stated they had information given to them at booking, the Sergeant meets with them every 30 days for a PREA educational session, and there are posters and flyers posted in every housing unit that explain how to report. All stated they could talk to a deputy or medical staff and that they could report anonymously, verbally, in writing or any third party. All knew they could access two hotline numbers on the phone that are free calls and could contact family and friends to make a report. And, all of them knew that they could receive support services from the Family Crisis Center and calls to them are free. The majority of inmates interviewed felt that the Madison County Detention Center was a safe place and they are treated very well by the detention staff.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff and inmate interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 5
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
PREA Inmate Acknowledgement Form and random signatures
Inmate Handbook
PREA flyers displayed in dayrooms
PREA Posters displayed in dayrooms
Interviews with random inmates
Interviews with staff who conduct bookings
Interviews with random staff
Three reports from inmates of inmate-on-inmate sexual harassment
One report from an inmate of inmate-on-inmate sexual abuse

Standard 115.52: Exhaustion of administrative remedies

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

115.52 (a)

- Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of

explicit policy, the agency does not have an administrative remedies process to address sexual abuse. Yes No NA

115.52 (b)

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

115.52 (c)

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

115.52 (d)

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

115.52 (e)

- Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.) Yes No NA

- Are those third parties also permitted to file such requests on behalf of inmates? (If a third-party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.) Yes No NA
- If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.) Yes No NA

115.52 (f)

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

115.52 (g)

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

Auditor Overall Compliance Determination

Exceeds Standard (*Substantially exceeds requirement of standards*)

Meets Standard (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)

Does Not Meet Standard (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The Madison County Detention Center is exempt from this standard as it does not require an inmate to submit a grievance to report a sexual abuse or sexual harassment incident. If an inmate does submit a grievance, it is withdrawn from the grievance system and treated as a complaint rather than a grievance.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 5
Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

Standard 115.53: Inmate access to outside confidential support services

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

115.53 (a)

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

115.53 (b)

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

115.53 (c)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.53(a and c) The Madison County Detention Center has an MOU with the Family Crisis Center to provide advocacy and in-person support services to a victim of sexual abuse through the forensic medical examination process as well as the investigatory interview process. Advocates provide support, crisis intervention, mental health counseling when needed, information and referral services to the victim. Information on how to contact the advocate is on a flyer that is posted in each housing unit. The Madison County Detention Center enables communication between the advocate and the victim in as confidential manner as possible.

When follow-up mental health counseling is needed, the Madison County Detention Center will provide the counseling through the Detention Center's Mental Health Provider. The Mental Health Provider holds clinic at the Detention Center every other week and will skype with inmates, when needed, in between visits.

115.53(b) Prior to giving the inmate access to the advocate, the Madison County Detention Center Policy 15.5 states that the agency explains to the inmate that the communication will not be monitored

and the advocate is offered free of charge to the inmate. The facility will also explain to the inmate that information may be relayed from the victim advocate in order to initiate and conduct an investigation into the sexual abuse allegation in accordance with mandatory reporting laws. All of this information is on the posters in the housing units.

There have been no forensic medical examinations done during the past twelve months and a victim's advocate has not been requested or used by inmates so there was no documentation for the auditor to review.

The information on victim advocates is very detailed and is posted in all of the housing units. Interviews of random inmates revealed that they knew that victim advocates were available, knew how to access them, and knew that calls to the advocate were free.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff and inmate interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 5
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
MOU between Family Crisis Center and Madison County Detention Center
PREA informational pamphlet
PREA Posters
Poster of the Family Crisis Center Information
Inmate Handbook
Acknowledgement Form
Interviews with random inmates
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator
Phone interview with the Director of the Family Crisis Center

Standard 115.54: Third-party reporting

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

115.54 (a)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.54(a) The Madison County Detention Center allows third parties to report a sexual abuse or sexual harassment incident on behalf of an inmate. The agency provides information in the housing units and the lobby of the Sheriff's Office. Lt. Willmore stated that they would also be putting the information on the website. Third parties can contact administration in either the Detention Center or the Sheriff's Office or call the Crime Buster's/Jail Rape Hotline. The information explains that all reports of sexual abuse and sexual harassment are taken seriously and will be investigated.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Completed Pre-Audit Questionnaire completed by Lt. Jared Willmore
Madison County Website: www.madisonsheriff.com

OFFICIAL RESPONSE FOLLOWING AN INMATE REPORT

Standard 115.61: Staff and agency reporting duties

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

115.61 (a)

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

115.61 (b)

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

115.61 (c)

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

115.61 (d)

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

115.61 (e)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.61(a) The Madison County Detention Center PREA Policy, Chapter 6 requires staff to immediately report any suspected or alleged sexual abuse, sexual harassment, retaliation or neglect that occurred in a facility whether or not it is part of the agency to the PREA Coordinator. Interviews with random staff confirmed that this information is taught to staff in the yearly PREA training.

115.61(b) PREA Policy also prohibits staff from revealing any information related to a sexual abuse or sexual harassment report to anyone other than designated supervisors or officials and, to the extent necessary, to make treatment, investigation, and other security and management decisions. Interviews with random staff confirmed that they are aware of this policy.

115.61(c) Medical and mental health practitioners within the facility are required to report sexual abuse that is disclosed to them by inmates and, at the initiation of services, must inform the inmate of their duty to report the incident and the limitations of confidentiality. Interviews with medical practitioners revealed they knew the policy and also received the information in their PREA training.

115.61(d) If the alleged victim is under the age of 18, the Madison County Detention Center reports the allegation of sexual abuse to the Idaho Department of Children and Family Services. If the alleged victim is a "vulnerable adult" the report will be made to Idaho Adult Protection Services.

115.61(e) All reports of allegations of sexual abuse and sexual harassment, including third-party and anonymous reports are submitted to the Jail Administrator who forwards them to the administrative investigators in the jail or the Madison County Detective Division depending on the type of allegation made.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 6
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Interviews with random staff
Interview with Medical Health Services Contract Employee
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

Standard 115.62: Agency protection duties

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

115.62 (a)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.62(a) The Madison County Detention Center reports that there have been no situations in the past twelve months where the facility determined an inmate was subject to a substantial risk of imminent sexual abuse. Inmates at substantial risk of imminent sexual abuse are either removed from the housing unit and reassigned to other appropriate housing that ensures the inmate's safety or the perpetrator is reassigned to another housing unit, depending on the circumstances of the situation. If there is any evidence of actual victimization having occurred, the Madison County Detention Center will immediately initiate either an administrative or criminal investigation, depending on the circumstances.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy Chapter 6
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Interviews with random staff
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

Standard 115.63: Reporting to other confinement facilities

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

115.63 (a)

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

115.63 (b)

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

115.63 (c)

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

115.63 (d)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.63(a) The Madison County Detention Center PREA Policy, Chapter 6 requires the Jail Administrator or PREA investigator to report any abuse allegation received regarding an inmate abused at another facility to the agency head, or appropriate officer, where the sexual abuse is alleged to have occurred.

115.63(b) Policy requires this notice to occur as soon as possible but no later than within 72 hours of receiving the allegation.

115.63(c) The notification from the Madison County Detention Center to the other agency is documented in the investigators report. The Madison County Detention Center reported they received one report of this type during the twelve months prior to the audit. The allegation was immediately forwarded to the other agency who had already done an investigation into the allegation when the inmate was housed in their facility.

115.63(d) The Madison County Detention Center has nothing in policy to ensure that allegations received from other facilities about sexual abuse that allegedly occurred in Madison County Detention Center are investigated with the PREA standards. Therefore, the auditor finds that the Madison County Detention Center does not meet this part of the standard. The Madison County Detention Center reported there have been no reports of this type during the past twelve months.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 6
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Interview with Lt. Jared Will, Jail Administrator/PREA Coordinator

CORRECTIVE ACTION REQUIRED:

1. The Madison County Detention Center should add to its policy the procedures that are to be followed if another agency contacts the Detention Center and reports that an inmate who was housed in their facility was allegedly sexually abused.

All corrective action should be sent to the auditor within 180 days of the date of the interim report so that a final report can be issued after the 180-day corrective action period is completed.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

On May 7, 2018, the Madison County Detention Center sent the auditor verification and copies of documentation that the corrective action noted in the interim report has been corrected as follows:

1. The Madison County Detention Center has added to its policy the procedures that are to be followed if another agency contacts the Detention Center and reports that an inmate who was housed in their facility was allegedly sexually abused.

The auditor has reviewed all of the documents that were sent and the Madison County Detention Center is now fully compliant with this standard.

Standard 115.64: Staff first responder duties

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

115.64 (a)

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

115.64 (b)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.64(a) The Madison County Detention Center Policy 15.6 outlines in policy the responsibilities of all staff members receiving an allegation of sexual abuse. The checklist and policy details in depth the following guidelines for the first responder and includes much more:

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

The Madison County Detention Center reported that in the past twelve months, there were no allegations that an inmate was sexually abused in the facility.

115.64(b) Policy states that when the first staff responder is not a security staff member, he or she shall request that the alleged victim not take any actions that could destroy physical evidence and then notify security staff immediately. There were no incidents in which a non-security staff member was the first responder during the audit cycle.

Interviews with random staff and supervisors confirmed that staff are very knowledgeable in their duties as a first responder to a sexual abuse or sexual harassment incident and have received the training in their yearly PREA training.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 6
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Interviews with random staff
Interview with medical practitioner
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator
Interviews with Detention Sergeants

Standard 115.65: Coordinated response

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

115.65 (a)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.65(a) The Madison County Detention PREA Policy, Chapter 6 requires a coordinated response plan that coordinates the actions of first responders, medical and mental health practitioners, investigators, and facility leadership. The plan is in the policy and outlines the responsibilities of first responders, shift supervisors, medical practitioners, mental health practitioners, the Jail Administrator, and administrative and criminal investigators.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention PREA Policy, Chapter 6
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Coordinated Response Plan
Interviews with investigators
Interviews with random staff
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator
Interview with Detention Sergeants

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

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

115.66 (a)

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

115.66 (b)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The Madison County Sheriff's Office and Detention Center do not have any collective bargaining agreements in place and have not had any at any time. Madison County Sheriff's Office is non-union and, therefore, has no union collective bargaining agreements. Therefore, the auditor determined that this standard is not applicable to the Madison County Sheriff's Office and Detention Center.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Interview with Sheriff Rick Henry
Interview with Chief Deputy Bart Quayle
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

Standard 115.67: Agency protection against retaliation

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

115.67 (a)

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

115.67 (b)

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

115.67 (c)

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

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

115.67 (d)

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

115.67 (e)

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

115.67 (f)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.67(a and d) Madison County Detention Center PREA Policy, Chapter 6 prohibits retaliation against inmates or staff members who report sexual abuse or sexual harassment and requires monitoring of the inmate or staff member for retaliation. The policy states that the Jail Administrator, or designee, will assign a Sergeant to monitor the person for retaliation.

115.67(b) Policy states that the Detention Center will protect inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff. Monitoring will include periodic status checks on inmates. Such protections shall be afforded via housing changes to separate victims from abusers, removal of alleged staff members from contact with victims, and emotional support services for inmates or staff members who fear retaliation.

115.67(c) Madison County Detention PREA Policy, Chapter 6, requires monitoring the conduct and treatment of inmates and staff who report sexual abuse or sexual harassment and of inmates who were reported to have suffered sexual abuse for signs of changes that may suggest possible retaliation and shall act promptly to remedy any such retaliation. This monitoring is to continue for 90 days or longer if the initial monitoring indicates a need for further monitoring.

115.67(d) Policy also requires the facility to take proper measures to protect any other individual who has cooperated with an investigation and expresses a fear of retaliation. Documentation of the monitoring is kept on a Retaliation Monitoring Form. During the twelve months prior to the audit, there were three allegations of sexual harassment and one of sexual abuse. Monitoring showed no retaliation against any of the inmates who reported.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention PREA Policy, Chapter 6
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator
Interviews with Detention Sergeants
Investigation reports and retaliation monitoring

Standard 115.68: Post-allegation protective custody

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

115.68 (a)

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

Auditor Overall Compliance Determination

Exceeds Standard (*Substantially exceeds requirement of standards*)

- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.68(a) The Madison County Detention Center PREA Policy, Chapter 6, prohibits the facility from placing inmates who allege to have suffered sexual abuse in involuntary restrictive housing unless the determination has been made that this housing assignment best protects the safety of the inmate and a review of other alternatives failed to provide adequate safety from likely abusers. When inmates are placed in involuntary restrictive housing in order to separate the victim from the abuser, the placement is only for the time needed to finish the investigation and find alternative housing. The policy details the procedures taken to maintain compliance with this standard. Interviews with random staff and inmates revealed no incidents of involuntary housing being used for this purpose. There were no inmates in involuntary restrictive housing for this purpose for the auditor to interview and the Madison County Detention Center reported that no inmates have been placed in involuntary restrictive house for this purpose during the twelve months prior to the audit.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 6
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Interviews with random staff
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

INVESTIGATIONS

Standard 115.71: Criminal and administrative agency investigations

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

115.71 (a)

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

115.71 (b)

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

115.71 (c)

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

115.71 (d)

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

115.71 (e)

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

115.71 (f)

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

115.71 (g)

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

115.71 (h)

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

115.71 (i)

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

115.71 (j)

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

115.71 (k)

- Auditor is not required to audit this provision.

115.71 (l)

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

Auditor Overall Compliance Determination

Exceeds Standard (*Substantially exceeds requirement of standards*)

- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.71(a) Madison County Detention Center PREA Policy, Chapter 7, requires that investigators initiate an investigation immediately upon receiving an allegation of sexual abuse or sexual harassment. Administrative investigations are done by two detention investigators, criminal by the Madison County Detective Division, and, when staff are allegedly involved, the case is referred by the Sheriff to the Tri-County Investigations Unit. This is done promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports

115.71(b) There are two investigators assigned to investigate sexual abuse and sexual harassment in the Madison County Detention Center and two investigators from the Madison County Detective Division. A review of training certificates and a training roster confirm that all four investigators have had the specialized training for investigators. This training was a combination of the NIC online training and classroom training, "Investigating Sexual Abuse in a Confinement Setting". This training included techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or referral to the prosecutor for criminal charges. In addition, all criminal allegations are investigated by detectives who have had extensive training on sexual abuse investigations and use Miranda and Garrity warnings frequently in their regular jobs.

115.71(c) Interviews with both administrative and criminal investigators confirmed that upon initiation of an investigation into a sexual abuse allegation, the investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data, interview alleged victims, suspected perpetrators, and witnesses. and review prior complaints and reports of sexual abuse involving the suspected perpetrator.

115.71(d) Unless the allegation is an immediately recognizable criminal investigation, investigations will be initiated as an administrative investigation. All administrative investigations are done by Madison County Detention Center investigators. If there is any indication that the investigation appears to support criminal prosecution, the Detention Center investigators will confer with prosecutors before using compelled interviews. However, it is rare for this to happen as the administrative investigators alert the Jail Administrator if the investigation appears to have criminal elements and the case is referred to the Madison County Detective Division to initiate a criminal investigation. The Madison County Detectives are aware of when compelled interviews are an obstacle to prosecution as they use them frequently in their regular job. In the interview with a criminal investigator, the investigator stated that they would contact the prosecutor before using compelled interview if the investigator had any doubts about the interview.

115.71(e) Madison County Detention Center PREA Policy, Chapter 7, requires that the credibility of the alleged victim will be assessed on a case-by-case basis and shall not be determined by the person's status as an inmate. During interviews with investigators they confirmed that this was practice as well as policy. The investigator also stated that inmates will be treated with the same response to their allegations of sexual abuse or sexual harassment as someone from outside the facility would receive.

Inmates who allege sexual abuse are not required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation.

115.71(f) Policy requires that a thorough report be written at the conclusion of an administrative investigation that includes a description of what evidence was collected or reviewed, the reasons behind any credibility assessments, and any facts and findings the investigator discovered in the investigation. Investigators will also consider whether staff actions or failures to act contributed to the incident of abuse. All reports are forwarded to Sheriff Rick Henry for his review, determination whether the incident is substantiated, and his signature.

115.71(g and h) Madison County Detention PREA Policy, Chapter 7, and interviews with criminal investigators confirm that comprehensive reports are written at the conclusion of criminal investigations and the reports fully describe any physical, testimonial, and documentary evidence gathered, considered, or relied on. When it is practical, copies of documentary evidence are attached to the report. Substantiated criminal investigations are referred for prosecution, when warranted. During the twelve months prior to the audit, there have not been any criminal abuse allegations or investigations in the facility. There have been no allegations of criminal sexual abuse in the Madison County Detention Center for the twelve months prior to the audit.

115.71(i) Madison County Detention Center PREA Policy, Chapter 7, requires all written reports referenced in 115.71(f and g) are retained for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

115.71(j) If an alleged abuser or victim leaves the facility or the employ of the agency, the investigation will continue and will not be terminated until it is officially closed with a determination. This practice was confirmed by interviews with investigators.

115.71(l) When the Tri-County Investigations Unit is assigned to an investigation, the Madison County Sheriff's Office and Detention Center will cooperate fully with the investigators and will stay informed as to the progress of the investigation. Interviews with Madison County investigators explained that there is a very good working relationship between Madison County Sheriff's Office and the Tri-County Investigations Unit.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 7
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Objectives for the online and classroom course, "Investigating Sexual Abuse in a Confinement

Setting”

Training documentation for investigators completing the specialized training
Interview with Sheriff Rick Henry
Interview with Chief Deputy Bart Quayle
Interviews with administrative and criminal investigators
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

Standard 115.72: Evidentiary standard for administrative investigations

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

115.72 (a)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.72(a) Madison County Detention PREA Policy, Chapter 7, requires the Madison County Sheriff’s Office to impose no standard higher than a preponderance of evidence in determining whether allegations of sexual abuse or sexual harassment in administrative investigations are substantiated. Interviews with investigators confirmed that this is the standard of determination of substantiation.

Based on the information discovered in the facility’s policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 7
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Interviews with investigative staff
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

Standard 115.73: Reporting to inmates

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

115.73 (a)

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

115.73 (b)

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

115.73 (c)

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

whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility? Yes No

115.73 (d)

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

115.73 (e)

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

115.73 (f)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.73(a) Madison County Detention PREA Policy, Chapter 7 requires upon completion of any administrative or criminal investigation of sexual abuse in the facility, the facility will inform the inmate as to whether the allegation was determined to be substantiated, unsubstantiated, or unfounded. The Madison County Detention Center reported that three allegations of sexual harassment were made and one allegation of non-criminal sexual abuse was made. None of the four inmates were informed as to the determination of the investigation. Therefore, the auditor finds that the Madison County Detention Center does not meet this part of the standard.

115.73(b) PREA Policy, Chapter 7, ensures that when an outside law enforcement agency is brought in to conduct an investigation, the inmate will be notified of the outcome when it is known. There were no allegations of sexual abuse in the twelve months preceding the audit where an outside agency was brought in to investigate.

115.73(c) Madison County Detention Center PREA Policy, Chapter 7, is consistent with the standard for notification when an employee has sexually abused an inmate. The policy states, "If a staff member is the accused (unless the Office has determined that the allegation is unfounded), the inmate shall also be informed whenever:

1. The staff member is no longer assigned to the inmate's unit or employed at the facility.
2. The Office learns that the staff member has been indicted or convicted on a charge related to sexual abuse within the facility".

The Madison County Detention Center reported that no allegations of this type were reported during the twelve months prior to the audit.

115.73(d) The policy is consistent with this standard and states, "If another inmate is the accused, the alleged victim shall be notified whenever the Office learns that the alleged abuser has been indicted or convicted on a charge related to sexual abuse within the facility. The Madison County Detention Center reports that it hasn't had any incidents of inmate-on-inmate sexual abuse that resulted in criminal charges or criminal convictions during the past twelve months.

115.73(e) Notifications to inmates will be signed by the inmate and documented in the investigation case file.

115.73(f) The Madison County Detention Center's obligation to report under this standard terminates if the inmate is released from the facility before the investigation has been completed.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 7
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Interview with administrative and criminal investigators
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator
Interviews with Detention Sergeants

CORRECTIVE ACTION REQUIRED:

1. The Madison County Detention Center should follow its policy and notify inmates who make an allegation that he or she suffered sexual abuse, verbally or in writing, as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation by the agency.

All corrective action should be sent to the auditor within 180 days of the date of the interim report so that a final report can be issued after the 180-day corrective action period is completed.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

On May 7, 2018, the Madison County Detention Center sent the auditor verification and copies of documentation that the corrective action noted in the interim report has been corrected as follows:

1. The Madison County Detention Center has added to its investigation review form a checklist item that verifies the inmate who has made an allegation that he or she suffered sexual abuse has been advised of the decision.

The auditor has reviewed all of the documents that were sent and the Madison County Detention Center is now fully compliant with this standard.

DISCIPLINE

Standard 115.76: Disciplinary sanctions for staff

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

115.76 (a)

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

115.76 (b)

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

115.76 (c)

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

115.76 (d)

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

- Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies? Yes No

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.76(a - c) Madison County Detention Center PREA Policy, Chapter 8, requires any staff member found in violation of the agency sexual abuse or sexual harassment policies is subject to progressive discipline which includes sanctions up to and including termination. Progressive discipline considers the circumstances, the staff member's disciplinary history, and sanctions imposed for comparable offenses by other staff with similar histories when imposing sanctions. Termination is the presumptive disciplinary sanction for staff who have engaged in sexual abuse of an inmate.

The Madison County Detention Center reported that there have been no incidents of staff-on-inmate sexual harassment or sexual abuse reported during the twelve months preceding the audit.

115,76(d) All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to any relevant licensing bodies. All terminations and resignations are reported to Idaho P.O.S.T and, if the case involves possible criminal charges, an investigation is done by Idaho P.O.S.T as well.

The Madison County Detention Center reports that in the past twelve months, there has been no staff member from the facility who has been terminated (or resigned prior to termination) for violating agency sexual abuse or sexual harassment policies. Additionally, there has been no staff member in the past twelve months who has been disciplined for violations of the agency sexual abuse or sexual harassment policies. There has been no staff member that has been reported to law enforcement, Idaho P.O.S.T., or any other licensing boards for violating agency policies.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 8
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

Standard 115.77: Corrective action for contractors and volunteers

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

115.77 (a)

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

115.77 (b)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.77(a) The Madison County Detention Center PREA Policy, Chapter 8, prohibits contractors and volunteers who have engaged in sexual abuse from having contact with inmates. Violations are reported to any relevant licensing boards and if the abuse was criminal, the Madison County Sheriff's Office will seek prosecution.

115.77(b) In any violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, the agency will take appropriate remedial measures and will consider whether the volunteer or contractor will be retained, dismissed or prohibited from contact with inmates.

The Madison County Detention Center reported that there were no contractors or volunteers who were alleged to have violated the agency's sexual abuse or sexual harassment policies during the past twelve months.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 8
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

Standard 115.78: Disciplinary sanctions for inmates

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

115.78 (a)

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

115.78 (b)

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

115.78 (c)

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

115.78 (d)

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

115.78 (e)

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

115.78 (f)

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

115.78 (g)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.78(a) Madison County Detention Center has in place a comprehensive progressive inmate disciplinary process for rule and law violations by inmates. A formal disciplinary process will be given to inmates who have been found guilty in an administrative or criminal investigation of inmate-on-inmate sexual abuse or inmate-on-inmate sexual harassment.

115.78(b) The Madison County Detention Center, PREA Policy, Chapter 8, states that If the inmate is found guilty in the disciplinary hearing, the sanctions imposed will consider the circumstances of the incident, the disciplinary history of the inmate, and the sanctions imposed on others for similar violations.

The Madison County Detention Center reported that during the past twelve months, no incidents of inmate-on-inmate sexual abuse or inmate-on-inmate sexual harassment resulted in the abusers being sent through the formal disciplinary process.

115.78(c) Madison County Detention Center Policy 15.8 requires that the disciplinary process considers whether an inmate's mental disabilities or mental illness contributed to the behavior when determining what type of sanctions, if any, should be imposed.

115.78(d) The Madison County Detention Center does not provide therapy, counseling, or other interventions for inmate abusers.

115.78(e) The Madison County Detention Center disciplines an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact. The Madison County Detention Center reported that there were no instances of this type of sexual abuse during the past twelve months.

115.78(f) Inmates of the Madison County Detention Center will not be disciplined for filing a false report of sexual abuse when the inmate believed the incident actually happened and filed the report in good faith.

115.78(f) Agency policy prohibits all sexual activity between inmates but doesn't deem such activity sexual abuse unless it is determined that the activity was coerced. Madison County Detention Center reported that there was one instance where an administrative investigation was conducted for inmate-on-inmate sexual abuse, consensual or non-consensual and that allegation was determined to be unsubstantiated.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention PREA Policy, Chapter 8
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Inmate Handbook
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

MEDICAL AND MENTAL CARE

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

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

115.81 (a)

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

115.81 (b)

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

115.81 (c)

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

115.81 (d)

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

115.81 (e)

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

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)

- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.81(a and c) When an inmate discloses sexual abuse either at an institutional facility or in a community setting, Madison County Detention PREA Policy, Chapter 9 requires the Detention staff to offer the inmate follow-up counseling. If the inmate requests follow-up counseling, the inmate is referred to the Medical Provider and the Mental Health Counselor to ensure a follow-up meeting is done within 14 days. The auditor interviewed two inmates who had been the victim of sexual abuse in the community prior to arrest and both inmates verified that follow-up counseling was offered. The two inmates reported that they had told the Screening Deputy that they did not need any follow-up counseling.

115.81(d) Interviews with staff verified that any information related to the sexual abuse or victimization of an inmate is limited to Medical and Mental Health practitioners to prescribe treatment and the Detention Staff to determine security and management decisions as specified in this standard.

115.81(e) Interviews with a Medical Health practitioner verified that informed consent disclosures are offered to inmates before reporting prior sexual victimization that did not occur in an institutional setting unless the inmate is under the age of 18.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 9
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Objective Risk Assessment Form
Interviews with random staff
Interview with Medical Health Services Contract Employee
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

Standard 115.82: Access to emergency medical and mental health services

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

115.82 (a)

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

115.82 (b)

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

115.82 (c)

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

115.82 (d)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.82(a) Interviews with a Medical Practitioner confirmed that inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services. The Madison County Detention Center reported there were no inmate victims of sexual abuse in the last twelve months who needed emergency care so the auditor had no medical records to review.

115.82(b) If no qualified medical practitioners are on duty at the time a report of recent sexual abuse, the First Responder will take preliminary steps to protect the inmate and will immediately notify the appropriate on-call medical practitioners. Also, in an emergency, the First Responder may ask the Emergency Medical Technicians be contacted and dispatched. When necessary, all victims are transported to Madison Memorial Hospital in Rexburg, Idaho where SAFE or SANE exams are conducted. Inmates are offered a victim's advocate to accompany them through the exam and subsequent investigation.

115.82(c) Interviews with a Medical Practitioner confirmed that inmate victims of sexual abuse are offered information about, and timely access to, emergency contraception and sexually transmitted infections prophylaxis, when appropriate. The Madison County Detention Center reported there haven't been any instances during the past twelve months where inmates have needed this information or care.

15.82(d) In all circumstances of sexual abuse within the facility, treatment and advocates are provided to the victim inmate free of charge.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 9
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
MOU Between Family Crisis Center and Madison County Detention Center
Interview with Medical Health Services Contract Employee
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

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

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

115.83 (a)

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

115.83 (b)

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

115.83 (c)

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

115.83 (d)

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

115.83 (e)

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

115.83 (f)

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

115.83 (g)

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

115.83 (h)

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

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)

- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.83(a - c) Madison County Detention Center PREA Policy, Chapter 9 requires health evaluations and, as appropriate, treatment to all inmates who have been sexually abused in any correctional institution. Interview with a Medical Practitioners confirmed that the care is consistent with the community level of care and they will offer referrals to the inmate for continuing care, when necessary, when the inmate leaves the facility. The Madison County Detention Center reported that, during the past twelve months, there have been no inmates that have requested referrals for continuing care upon release from the facility.

115.83(d - f) An interview with a Medical Practitioner confirmed that female inmate victims of sexual abuse are offered pregnancy tests and information about timely access to all lawful pregnancy related medical services. The interviews also confirmed that inmates who have been sexually abused are offered tests for sexually transmitted infections, as medically appropriate. Medical practitioners will provide ongoing treatment to inmates, when needed.

115.83(g) In all circumstances of sexual abuse within the facility, treatment and advocates are provided to the victim inmate free of charge.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 9
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Interview with a Medical Health Services Contract Employee
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

DATA COLLECTION AND REVIEW

Standard 115.86: Sexual abuse incident reviews

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

115.86 (a)

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

115.86 (b)

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

115.86 (c)

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

115.86 (d)

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

115.86 (e)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.86(a) Madison County Detention PREA Policy, Chapter 10 requires that a review team will review each incident of sexual abuse or sexual harassment that was investigated in the facility, unless the incident is unfounded.

115.86(b - c) The Review Team consists of upper-level administrators and seeks input from line supervisors, investigators, and Medical and Mental Health Practitioners as appropriate. The review occurs within 30 days of the incident.

115.86(d) The focus of the review is to determine if there are corrective actions required to prevent future incidents. The Madison County Detention Center has a very detailed checklist to do for the review. The review team will prepare a report of its finding, determinations, and suggestions for improvement and will forward the report to the Sheriff and the PREA Coordinator.

115.86(e) The Jail Administrator, or authorized designee will implement the recommendations for improvement or document the reasons for not doing so.

The Madison County Detention Center reports that there have been no incident reviews done at the time of the audit. There was one non-criminal sexual abuse allegation that was investigated as a sexual harassment and no review was held. The paperwork has been corrected and the determination was unsubstantiated.

Based on the information discovered in the facility's policies, documents received prior to the audit, observations made and documents reviewed during the onsite audit, as well as information obtained through staff interviews, the auditor has determined the facility meets the above standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 10
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Interviews with investigative staff
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

Standard 115.87: Data collection

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

115.87 (a)

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

115.87 (b)

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

115.87 (c)

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

115.87 (d)

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

115.87 (e)

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

115.87 (f)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.87(a) Madison County Detention Center PREA Policy, Chapter 10, requires that the agency collect accurate, uniform data for every allegation of sexual abuse at the facility and use a standardized instrument and set of definitions. The facility uses the actual form of the Survey of Sexual Violence.

115.87(b) Policy directs the Detention Center to aggregate the data annually but the information has not been aggregated because the sexual abuse allegation was mistakenly investigated as a sexual harassment. Therefore, the auditor finds that the Madison County Detention Center does not meet this part of the standard.

115.87(d - e) The Madison County Detention Center policy and practice requires the collection of the data in accordance with this standard but this was not done at the time of the audit as the sexual abuse allegation was mistakenly investigated as a sexual harassment. Therefore, the auditor finds that the Madison County Detention Center does not meet this part of the standard.

115.87(f) The Madison County Detention Center will provide the Department of Justice with data from the previous calendar year upon request. The Department of Justice has not requested this data.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 10
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Survey Form used to collect the annual data
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

CORRECTIVE ACTION REQUIRED:

1. The Madison County Detention Center should aggregate the data for 2017 on the Survey Form.

This form should be filled out and contain the collected and aggregated data for the calendar year of 2017 and sent to the auditor within 180 days of the date of this interim report.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

On May 7, 2018, the Madison County Detention Center sent the auditor verification and copies of documentation that the corrective action noted in the interim report has been corrected as follows:

1. The Madison County Detention Center has aggregated the data for 2017 on the Survey Form.

The auditor has reviewed all of the documents that were sent and the Madison County Detention Center is now fully compliant with this standard.

Standard 115.88: Data review for corrective action

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

115.88 (a)

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

115.88 (b)

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

115.88 (c)

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

115.88 (d)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.88(a) Interviews with Lt. Jared Willmore and the Detention Sergeants revealed that no annual report has been written. However, the Madison County Detention Policy 15.10 states one will be written and put on the website. Therefore, the auditor finds that the Madison County Detention Center does not meet this part of the standard.

115.88(b - d) No annual report has been written. Therefore, the auditor finds that the Madison County Detention Center does not meet this part of the standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 10
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Madison County Sheriff's website: www.madisonsheriff.com
Interview with Sheriff Rick Henry
Interview with Chief Deputy Bart Quayle
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

CORRECTIVE ACTION REQUIRED:

1. When the data has been collected and aggregated on the survey form, the Madison County Detention Center should write an annual report, have it approved by Sheriff Rick Henry, and post it on the website. The plan is to write an annual report in January for the calendar year prior to January.

The survey form should contain the collected and aggregated data for the calendar year of 2017 and an annual report written and posted on the website. This form and annual report should be sent to the auditor within 180 days of the date of this interim report.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

On May 7, 2018, the Madison County Detention Center sent the auditor verification and copies of documentation that the corrective action noted in the interim report has been corrected as follows:

1. The Madison County Detention Center has written its annual report for 2017 and Sheriff Rick Henry has approved the report. The annual report has been published on the Madison County Sheriff's Office website.

The auditor has reviewed all of the documents that were sent and the Madison County Sheriff's website and the Madison County Detention Center is now fully compliant with this standard.

Standard 115.89: Data storage, publication, and destruction

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

115.89 (a)

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

115.89 (b)

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

115.89 (c)

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

115.89 (d)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.89(a and d) Madison County Detention Center PREA Policy, Chapter 10, requires that data collected according to this standard is securely retained and will maintain sexual abuse data for at least 10 years after the date of the initial collection. However, the Detention Center has not collected and aggregated the data to be retained.

115.89(b - c) Madison County Detention Policy 15.10 requires that personal identifiers be removed from the annual report and a notice as to what type of information was redacted. No annual report has been written so personal identifiers have not been removed and the report is not on the website. Therefore, the auditor finds that the Madison County Detention Center does not meet this part of the standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Madison County Detention Center PREA Policy, Chapter 10
Completed Pre-Audit Questionnaire submitted by Lt. Jared Willmore
Madison County Sheriff's website: www.madisonsheriff.com
Interview with Sheriff Rick Henry
Interview with Chief Deputy Bart Quayle
Interview with Lt. Jared Willmore, Jail Administrator/PREA Coordinator

CORRECTIVE ACTION REQUIRED:

1. When the data has been collected and aggregated on the survey form, the Madison County Detention Center should write an annual report, have it approved by Sheriff Henry, and post it on the website. The plan is to write an annual report in January for the calendar year prior to January.
2. When the Madison County Detention Center has written its annual report, it should redact any personal identifiers from the report and note what type of information has been redacted.

The sexual abuse data should be collected and aggregated for the calendar year of 2017 and an annual report written and posted on the website. This form and annual report should be sent to the auditor within 180 days of the date of this interim report.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

On May 7, 2018, the Madison County Detention Center sent the auditor verification and copies of documentation that the corrective action noted in the interim report has been corrected as follows:

1. The Madison County Detention Center has written its' annual report for 2017 and the report has been approved by Sheriff Rick Henry. The annual report has been published on the Madison County Sheriff's Office website.
2. The Madison County Detention center has redacted all personal identifiers from the annual report.

The auditor has reviewed all of the documents that were sent and the Madison County Sheriff's website and the Madison County Detention Center is now fully compliant with this standard.

AUDITING AND CORRECTIVE ACTION

Standard 115.401: Frequency and scope of audits

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

115.401 (a)

- During the three-year period starting on August 20, 2013, and during each three-year period thereafter, did the agency ensure that each facility operated by the agency, or by a private

organization on behalf of the agency, was audited at least once? (N/A before August 20, 2016.)
 Yes No NA

115.401 (b)

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

115.401 (h)

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

115.401 (i)

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

115.401 (m)

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

115.401 (n)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The Governor of Idaho opted to not participate in bringing PREA into the state at first. However, he has taken a new direction in the last couple of years and has now stated that Idaho will be working toward

PREA compliance. Therefore, the Madison County Detention Center did not have an audit within the first three years but has now requested the audit and intends to conduct an audit in the future every three years.

Standard 115.403: Audit contents and findings

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

115.403 (f)

- The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports within 90 days of issuance by auditor. The review period is for prior audits completed during the past three years PRECEDING THIS AGENCY AUDIT. In the case of single facility agencies, the auditor shall ensure that the facility's last audit report was published. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or in the case of single facility agencies that there has never been a Final Audit Report issued.) Yes No NA

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all 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 the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The Madison County Detention Center will receive its first Final Audit report in 2018 and will publish the report on the Madison County Sheriff's website when it is received.

AUDITOR CERTIFICATION

I certify that:

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

Auditor Instructions:

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

Cynthia Malm

May 11, 2018

Auditor Signature

Date

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

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