**Document Review Worksheet**

**Staff Completing Worksheet:**

**Facility Name:**

**Investigation & Response Records**

PREA Audit – Prisons & Jails

Standards 115.21, 115.22, 115.34, 115.62, 115.63, 115.64, 115.65, 115.67, 115.68, 115.71, 115.72, 115.73, 115.77, 115.78, 115.82,115.83

|  |  |  |
| --- | --- | --- |
| **Use a separate worksheet for each allegation.** **Note:** Criminal and administrative investigations could occur simultaneously. Indicate both when applicable.**☐ Criminal Case ID#: ☐ Ongoing**  **☐ Concluded:**  **☐ Substantiated ☐ Unsubstantiated ☐ Unfounded** **☐ Administrative Case ID#: ☐ Ongoing**  **☐ Concluded:**  **☐ Substantiated ☐ Unsubstantiated ☐ Unfounded**  | **☐ Sexual Abuse** **☐ Sexual Harassment** **☐ Staff-on-inmate ☐ Inmate-on-inmate** | **Date of Incident:****Date Reported:****Date Investigation Started:** **Date Investigation Concluded:** |
|
| **Source of Allegation:** ☐ Website/online ☐ Anonymous ☐ Verbal ☐ Hotline ☐ Grievance ☐ Third-party ☐ External source (i.e., Department of Homeland Security, consular office, Office of Inspector General) ☐ Other: Made by (e.g., victim, witness, third party, parent, or attorney): Made to (e.g., security, medical, mental health, or other): |
| **Check all that apply:** ☐ Criminal charges were filed by the prosecutor ☐ Case is pending prosecutorial review ☐ Case is pending trial ☐ Case was refused by the prosecutor ☐ Case was referred back to agency/facility for investigation |
| **Investigator Name and Title: ☐ Documentation of Specialized Training §115.34**  |
| Name/Initials of alleged victim: | ☐ Currently housed ☐ Released | Victim required to submit to a polygraph/truth-telling device as a condition for proceeding with the investigation **§115.71(e)** ☐ Yes ☐ No **Victim forensic medical exam offered §115.21(c)** ☐ Onsite ☐ Offsite ☐ Refused ☐ Received Date: | ☐ **Referred for Criminal Investigation §115.22 to:** ☐ Police ☐ Sheriff ☐ External ☐ Internal investigator ☐ Other:  |
| Name/Initials of alleged abuser(s): | ☐ Currently housed ☐ Released |  Compelled staff interviews? **§115.71** ☐ Yes ☐ No  ☐ Indicted ☐ Not indicted If yes, consulted with the prosecutor(s) before compelling staff interviews? ☐ Yes ☐ No  | Date referred for investigation **§115.22**:Date referred for prosecution **§115.22**: |
| **Investigations §115.71**Documented in a written report (check both if applicable):☐ Administrative (internal) investigation report ☐ Criminal investigation report**Investigation was:**☐ Prompt ☐ Thorough ☐ Objective | **Criminal Investigation** **§115.71** ☐ Copies of documentary evidence included☐ Described physical evidence☐ Described testimonial evidence ☐ Described documentary evidence ☐ Documentation of the agency remaining informed of the pending investigation conducted by outside investigators (i.e., status checks/ communication with external entity) | **Adm. Crim. §115.71**☐ ☐ Described investigative facts and findings☐ ☐ Gathered & preserved direct/circumstantial evidence (i.e., DNA, physical evidence, video, etc.)☐ ☐ Interviewed victim(s), abuser(s), and witness(es)☐ ☐ Described reasoning behind credibility assessment for victim, abuser, staff, and witnesses)☐ ☐ Reviewed prior reports involving the perpetrator☐ ☐ Departure of alleged abuser/victim was not the basis for terminating investigation | **Adm. Investigation (cont.)** **§115.71**☐ Preponderance of evidence standard applied ☐ Determined if staff actions/ failures contributed to abuse☐ Described physical evidence☐ Described testimonial evidence  |
| **Coordinated Response** |
| **Emergency & Ongoing Medical and Mental Health Services**  | **Official Response**  | **Reporting & Notifications to Inmate Victim** |
| ☐ Medical practitioner(s) notified **§115.82** Date:☐ Mental Health practitioner(s) notified **§115.82** Date: ☐ Victim received emergency medical treatment **§115.82**  ☐ Onsite ☐ Offsite Date:**Agency attempted to make available victim advocate from a rape crisis center §115.21(d)** If a victim advocate from a rape crisis center was not available: ☐ Qualified agency staff member utilized;  ☐ Qualified community-based organization staff member utilized; or ☐ Agency made no attempt(s)**As requested by the victim, they were accompanied by an advocate §115.21(e):**☐ Medical forensic exam ☐ Investigative interviews ☐ Emotional support ☐ Crisis intervention ☐ Information ☐ Referrals or ☐ Refused accompaniment. If checked, explain which services were refused: ***For prisons only:***  ☐ Mental health eval for known inmate-on-inmate abuser attempted  within 60 days of learning of abuse history **§115.83(h)**  Date:  ☐ Treatment deemed appropriate by mental health for inmate-on-  inmate abuser **§115.83(h)** Date:  ☐ Treatment offered to inmate-on-inmate abuser **§115.83(h)** Date: **All victims §115.82(c) and 115.83(d),(e):** ☐ Offered timely info about STI prophylaxis ☐ Offered timely access to STI prophylaxis ☐ Offered test for STI as medically appropriate **Inmate victims of sexually abusive vaginal penetration** **Check if applicable** **§115.82(c) and 115.83(d),(e)*:***☐ Offered timely information about emergency contraception ☐ Offered timely access to emergency contraception☐ Offered pregnancy tests☐ Received pregnancy-related medical services | ☐ Notification to licensing body(ies) **[if applicable] §115.76(d) & 115.77** Date:**Reporting to other confinement facilities §115.63** ☐ Other facility head notified if applicable (within 72 hrs.) Date:**Staff first responder duties §115.64** ☐ Separation of victim and abuser (e.g., incident reports documenting response to allegation, documented housing transfer, etc.) **Agency Protection Duties §115.62** ☐ Immediate protection from a substantial risk of imminent sexual abuse (e.g., incident reports documenting response to allegation, documented housing transfer, etc.)**Protective Custody §115.43**  ☐ **Voluntary Segregated Housing** Start Date: End Date:**Access to extent possible (check all that apply and explain in notes section):** ☐ Programs ☐ Privileges ☐ Edu ☐ Work ☐ Restricted access documented: (1) What opportunities are limited? (2) Duration of limitation? (3) Reason for limitation?☐ Review(s) for continuing need for separation. Date(s):☐ **Involuntary Segregated Housing** Start Date: End Date:  ☐ Assessment of all alternatives made  ☐ No available alternative means of separation ☐ Held in involuntary segregation for <24 hours while completing the assessment **Access to extent possible** **(check all that apply and explain in notes section):** ☐ Programs ☐ Privileges ☐ Edu ☐ Work ☐Restricted access documented: (1) What opportunitiesare limited? (2) Duration of limitation? (3) Reason for limitation?  ☐ Basis for the facility’s concern for the inmate’s safety  ☐ Reason no alternative of separation can be arranged ☐ Review(s) for continuing need for separation. Date(s):  | Notified inmate of outcome **§115.73**(i.e., substantiated, unsubstantiated, unfounded)☐Yes ☐ No**Notification to inmate when allegation is substantiated or unsubstantiated §115.73(c)(b)(d)** ☐ Staff abuser is no longer posted on the inmate’s unit☐ Staff abuser is no longer employed at the facilityAbuser indicted; ☐ Staff ☐ Inmate Abuser convicted; ☐ Staff ☐ InmateIf notice was not provided:  ☐ Inmate released from custody  ☐ Agency requested relevant info. from the investigative agency in order to inform the inmate Were inmate notifications or attempts documented? **§115.73**☐Yes ☐ NoDate(s) of notification: **Disciplinary sanctions for inmates §115.78** [provide details in notes section] ☐ Inmate subject to disciplinary sanctions pursuant to provisions (a)-(g) |
| **Retaliation Monitoring §115.67**(Evidence the agency acted promptly to remedy retaliation)Date initiated:  Date concluded: | **Items monitored for retaliation: §115.67** Victim Abuser Witness  ☐ ☐ ☐ Discipline  ☐ ☐ ☐ Housing changes ☐ ☐ ☐ Program changes  ☐ ☐ ☐ Staff reassignment  ☐ ☐ ☐ Staff negative performance review  | **Protection measures employed: §115.67**Victim Abuser Witness  ☐ ☐ ☐ Housing changed ☐ ☐ ☐ Transferred ☐ ☐ ☐ No contact ordered ☐ ☐ ☐ Emotional Support |

**Notes:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_