

PREA COMPLIANCE AUDIT TOOL CHECKLIST OF POLICIES/PROCEDURES AND OTHER DOCUMENTS

Prisons and Jails 05/03/2013

Standar	b	Policies/Procedures/Other Documents			
		Pre-Audit During Audit			
	§115.16 – Inmates with Disabilities and Inmates who are Limited English Proficient	person conducting the search and the gender of the inmate who was searched). Logs of cross-gender strip and/or body cavity searches conducted in the last 12 months that were not conducted by medical staff to identify exigent circumstances, if any, that required deviance from §115.15(d) (i.e., cross-gender viewing). Training curricula regarding cross-gender and intersex inmates. Staff training logs. Policies/procedures regarding equal opportunity of disabled inmates to the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Policies/procedures regarding equal opportunity of inmates with limited English proficiency to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual abuse and sexual harassment. Policy prohibiting use of inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances. Contracts with interpreters or other professionals hired to ensure effective communication with inmates.	cy gove cy prohesions are serious. It is considered in the constant of the con	searches conducte ces, if any nducts the arches, cro ss-gender re cross- nducted.	DSS-
	§115.17 – Hiring and Promotion Decisions	Written materials used for effective communication about PREA with inmates with disabilities or limited reading skills Documentation of staff training on PREA compliant practices for inmates with disabilities. Policy on promotions and hiring of employees and contractors including policies governing criminal background checks. Policy governing criminal background records checks Policy governing criminal background records checks Policy governing criminal background records checks	ding skill cumenta ctices for cy on pot tractors kground	ckground	
		of <i>current</i> employees and contractors who may have contact with inmates. Records of background checks of contractors who might have contact with inmates.	urrent e	vho might	

Standard Policies/Procedu			res/Other Documents		
		Pre-Audit		During Audit	
				Documentation of background records checks of current employees at five year intervals when applicable.	
	§115.18 – Upgrades to Facilities and Technology	NA		Documentation on facility design, or renovation, modification or expansion. Minutes form meetings referencing installing or updating	
				monitoring technology.	
	§115.21 – Evidence Protocol and Forensic	 Uniform evidence protocol governing obtaining usable physical evidence in allegations of sexual abuse. 		Documentation to corroborate that all victims of sexual abuse have access to forensic medical examinations.	
	Medical Examinations	 If alternative source (from DOJ's "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents) was used to develop protocol, 		Any available documentation that delineates responsibilities of outside medical and mental health practitioners.	
		provide alternative source.Documentation that forensic medical exams are offered for free.		Documentation of establishment of the requirements of 115.21(a) through (e) with outside investigating agency.	
		 Documentation of efforts to provide SAFEs or SANEs. Documentation of agreement(s) with rape crisis center for services or documentation of efforts to secure services from rape crisis centers. 			
DNIN		 Documentation of staff member's qualifications if staff member used to provide victim advocate services. 			
RESPONSIVE PLANNING		 Any relevant documentation that a qualified agency staff member or qualified community-based organization staff member accompanied and supported the victim per standard 115.21(e), if requested by the victim. 			
RES		 If the agency is not responsible for investigating allegations of sexual abuse and relies on another agency to conduct these investigations, MOUs/agreements with the responsible agency. 			
	§115.22 – Policies to Ensure Referrals of	 Policy governing criminal investigation of allegations of sexual abuse or sexual harassment. 		Documentation of reports of sexual abuse and harassment and documentation of investigations, including full	
	Allegations for Investigations	If the agency is not responsible for conducting administrative or criminal investigations of alleged		investigative report with findings. Documentation of referrals of allegations of sexual	
		sexual abuse, and another State or Federal DOJ entity has that responsibility, policy governing how such investigations are conducted.		abuse/harassment. If a separate entity is responsible for conducting criminal investigations, publication (website or paper) that describes investigative responsibilities of both the agency and the separate entity that conducts criminal	

Standard			Policies/Procedu	res/	Other Documents
			Pre-Audit		During Audit
					investigations for the agency.
	§115.31 – Employee Training		Training policy and/or procedures. Staff training curriculum.		Sample of training records for compliance with standard. Documentation of employee signatures or electronic verification signifying comprehension of the training.
	§115.32- Volunteer and Contractor Training		Training curriculum for volunteers and contractors who have contact with inmates.		Sample of training records for volunteers and contractors who have contact with inmates. Documentation confirming that volunteers and contractors understand the training they have received (e.g., signed acknowledgement or understanding by volunteers/contractors).
& EDUCATION	§115.33 – Inmate Education		Agency policy governing inmate education on zero tolerance policy (including current, future, and transfer inmates). Agency policy governing PREA education of inmates and accessibility. Sample documentation of information provided to inmates educating them on the zero tolerance policy (e.g., handbook or information sheet). Documentation of inmate participation in PREA education sessions.		Log or other record keeping corroborating that inmates received information required by the standard (e.g., inmate signatures). Inmate handbook. Intake records of inmates. Inmate education and information materials. Documentation of education for inmates
TRAINING &	§115.34 – Specialized Training: Investigations	0	Agency training policy for investigative staff. If an external State agency or DOJ component conducts investigations, policies and/or procedures governing training of those external investigators. Investigator training curricula. Documentation that agency investigators have completed required training. Records of training of State agency or Department of Justice investigators.		Training records/logs of investigative staff.
	§115.35 – Specialized training: Medical and mental health care		Policy governing training of medical and mental health care practitioners around sexual abuse and sexual harassment. Documentation of training showing that investigators have completed the required training.		Training records/logs and personnel records of medical and mental health care practitioners. Exam logs. Forensic exam training curriculum. List of all medical staff and if applicable, contract medical staff at facility (auditor will request sample of training logs to review).

Standar	d	Policies/Procedures/Other Documents
		Pre-Audit During Audit
	§115.41 – Screening for Risk of Victimization and Abusiveness	 Agency policy governing screening of inmates (upon admission to a facility or transfer to another facility and reassessments). Screening instrument used to determine risk of victimization or abusiveness. Records for inmates admitted to the facility within the past 12 months for evidence of appropriate screening. Records of reassessment within the past 12 months for risk of sexual victimization or abusiveness. Sample of records of inmates who have been victims or perpetrators of sexual abuse for confirmation of reassessment.
AL VICTIMIZATION & ABUSIVENESS	§115.42 – Use of Screening Information	 □ Any relevant policy(ies) governing the use of screening information to (1) make individualized determinations to ensure the safety of inmates and (2) make housing and program assignments for transgender or intersex inmates in a facility on a case-by-case basis. □ Documentation of reassessment of programming assignments for each transgender or intersex inmates in a facility on a case-by-case basis. □ Documentation of housing assignments of inmates identified to be lesbian, gay, bisexual, transgender, or intersex for compliance with the standard. □ Documentation of housing assignments of inmates identified to be lesbian, gay, bisexual, transgender, or intersex for compliance with the standard. □ If a consent decree, legal settlement, or legal judgment requires the facility to establish a dedicated facility, unit, or wing for lesbian, gay, bisexual, transgender, or intersex inmates provide the title, status, and finds of each decree, settlement, or judgment. □ Policy governing involuntary segregated housing for □ Records and documentation of risk-based housing decisions. □ Documentation of reassessment of programming assignments for each transgender or intersex inmates for compliance with the standard. □ Documentation of housing assignments of inmates □ If a consent decree, legal settlement, or legal judgment requires the facility to establish a dedicated facility, unit, or wing for lesbian, gay, bisexual, transgender, or intersex inmates provide the title, status, and finds of each decree, settlement, or judgment.
SCREENING FOR RISK OF SEXUAL VICTIMIZATION & ABUSIVENESS	Custody	inmates at high risk for sexual victimization. Documentation of 30 day reviews for compliance with the standard. Documentation of 30 day reviews for compliance with the standard. Documentation of in-cell AND out of cell programs, privileges, education and work opportunities for inmates in segregated housing for protective custody. Documentation of restricted access to programs, privileges, education, or work opportunities that includes what opportunities have been limited, the duration of such limitations, and the reasons for the limitations. Records for length of placement in segregated housing for those at risk of sexual victimization. Case files of inmates at risk of sexual victimization held in involuntary segregated housing in the past 12 months.

Standard		Policies/Procedures/Other Documents
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REPORTING	§115.51 – Inmate Reporting	Policies, procedures, documents (e.g., inmate handbooks) to identify different established procedures allowing for multiple internal ways for inmates to report per the standard. Agency policy providing at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of the agency. Agency policy requiring inmates detained solely for civil immigration purposes be provided information on how to contact relevant consular officials and relevant officials of the Department of Homeland Security. Policy mandating that staff accept reports made verbally, in writing, anonymously and from third parties. Pocumentation of agreement with outside public or private entity responsible for taking reports. Documentation (e.g., inmate handbooks) regarding agency policy mandating that staff accept reports of sexual assault and sexual harassment. Documents, such as staff handbooks, outlining
	§115.52 – Exhaustion of	procedures for staff to privately report sexual abuse and sexual harassment of inmates. Agency policy or procedure in regards to inmate Inmate handbook to determine that relevant information
	Administrative Remedies	Agency policy or procedure in regards to inmate Inmate handbook to determine that relevant information is provided
		Policy and procedures for filing an emergency grievance alleging that an inmate is subject to a Documentation of grievances that alleged sexual abuse and final decisions.
		substantial risk of imminent sexual abuse. Policy limiting the agency's ability to discipline an inmate for filing a grievance related to alleged sexual abuse to occasions where the agency demonstrates Documentation of third-party reports and declination of third-party assistance. Documentation of third-party reports and declination of third-party assistance.
		that the inmate filed the grievance in bad faith. Supporting logs/records of cases, in the past 12 months, alleging sexual abuse that involved an Documentation of disciplinary actions by the agency against inmates for having filed the grievance in bad faith in the past 12 months.

Standard		Policies/Proced	ures/Other Documents
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		extension because final decision was not reached within 90 days.Documentation of written notifications of extensions.	
	§115.53 – Inmate Access to Outside Confidential Support Services §115.54 – Third-Party	 Policies and/or procedures governing inmate access to outside victim advocates for emotional support services related to sexual abuse. Inmate handbooks or written materials prepared for inmates pertinent to reporting sexual abuse and access to support services. MOUs or other agreements with community service providers that are able to provide inmates with emotional support services related to sexual abuse. Documentation of attempts to enter into agreements Publicly distributed information on how to report 	
	Reporting	inmate sexual abuse or sexual harassment on behalf of inmates.	
	§115.61 – Staff and Agency Reporting Duties	 Relevant policy(ies) governing the reporting by staff regarding incidents of sexual abuse or sexual harassment. 	Documentation of any such reports.Sample of reports to investigators.
LLOWING	§115.62 – Agency Protection Duties	 Relevant policy(ies) governing the agencies protection duties when inmates are subject to a substantial risk o imminent sexual abuse. Relevant documentation related to the determination of inmates' substantial risk of imminent sexual abuse and agency response. 	
OFFICIAL RESPONSE FOLLOWING AN INMATE REPORT	§115.63 – Reporting to Other Confinement Facilities	 Agency policy regarding reporting of allegations of sexual abuse of inmates while confined at another facility. Agency policy regarding the investigation of allegations of sexual abuse of inmates received from other facilities/agencies. Documentation of notifications of abuse while confined at another facility. 	 Documentation of allegations that an inmate was abused while confined at another facility. Additional documentation of notifications of abuse while confined at another facility Documentation of allegations from other facilities and documentation of response.
	§115.64 – Staff First Responder Duties	□ Agency policy governing staff first responder duties.	 Documentation of response to allegations by first responders.
	§115.65 – Coordinated Response	 Written institutional plan to coordinate actions taken in response to an incident of sexual abuse, among staff 	NA

Standard		Policies/Procedures/Other Documents	
		Pre-Audit During Audit	
		first responders, medical and mental health practitioners, investigators, and facility leadership.	
	§115.66 – Preservation of ability to protect inmates from contact with abusers	All collective bargaining agreements or other NA agreements entered into or renewed since August 20, 2012, or since the last PREA audit, whichever is later.	
	§115.67 – Agency protection against retaliation	Agency policy protecting 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, including policies on the monitoring of inmates/staff following a report and agency response to suspected retaliation.	
	§115.68 – Post-Allegation Protective Custody	Documentation of instances when segregated housing NA was used to protect an inmate who is alleged to have suffered sexual abuse.	
	§115.71 – Criminal and Administrative Agency Investigations	Agency/facility policies governing the handling of criminal and administrative agency investigations in cases where sexual abuse is alleged. Any documentation confirming that a State entity or Department of Justice component is aware of requirements of the standard. Uhere sexual abuse is alleged, documentation of copies investigative reports, record retention schedule, and case records detailing allegations of sexual abuse. Sample of administrative investigation reports. Sample of criminal investigative reports. Sample of cases referred for prosecution.	
SNC	§115.72 – Evidentiary Standard for Administrative Investigations	Any policy(ies) imposing an evidentiary standard for determining whether allegations of sexual abuse or sexual harassment are substantiated.	
INVESTIGATIONS	§115.73 – Reporting to Inmates	Agency policy governing the reporting to inmates, who make a sexual abuse allegation following an investigation by the agency, the determination of the investigation. Agency policy requiring notifications be documented. Sample of investigations of alleged sexual abuse complaints completed by agency investigators. Sample of investigations of alleged sexual abuse complaints completed by agency investigators. Sample of investigations of alleged sexual abuse complaints completed by agency investigators. Sample documentation of any founded complaints. Sample documentation of notifications pursuant to the requirements of this standard (see 115.73 (c) and (d)).	ise

Standard			Policies/Procedu	res/	Other Documents
			Pre-Audit		During Audit
	§115.76 – Disciplinary sanctions for staff		Staff disciplinary policy(ies) regarding violations of agency sexual abuse or sexual harassment policies Sample records of terminations, resignations, or other sanctions against staff for violating agency sexual abuse or sexual harassment policies from the past twelve months.		Additional sample of records of terminations, resignations, or other sanctions against staff for violating agency sexual abuse or sexual harassment policies from the past twelve months. Records of disciplinary sanctions taken against staff for violations of the agency sexual abuse or sexual harassment policies form the past twelve months. Records of reports to law enforcement and/or licensing boards for violations of agency sexual abuse or sexual harassment policies from the past twelve months
PLINE	§115.77 – Corrective action for contractors and volunteers		Policy(ies) governing contractors and volunteers related to violations of agency sexual abuse or sexual harassment policies. Reports of sexual abuse by contractors or volunteers Documentation of remedial measures taken to prohibit further contact with inmates in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.		Documentation of referrals to law enforcement and/or relevant licensing bodies. Investigative reports if relevant.
DISCIPLINE	§115.78 – Disciplinary sanctions for inmates		Policy(ies) governing disciplinary sanctions for inmates (engaged in inmate-on-inmate sexual abuse, inmate sexual conduct with staff, and/or sexual activity between inmates). Sample of records of disciplinary actions against inmates for sexual conduct with staff.		Additional records of disciplinary actions against inmates for sexual conduct with staff. Investigative reports and documentation of sanctions imposed.

Standard		Policies/Proced	ures/Other Documents
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	§115.86 – Sexual abuse incident reviews	 Policies on conducting sexual abuse incident reviews. Documentation of sexual abuse incident reviews. Sample documentation of completed administrative investigations of alleged sexual abuse incidents. Reports of findings from sexual assault incident reviews. Documentation supporting implementation of recommendations or documentation of reasons for 	 Additional documentation of completed administrative investigations of sexual abuse. Documentation of review team minutes or reports. Additional reports of findings from sexual abuse incident reviews.
DATA COLLECTION AND REVIEW	§115.87 – Data Collection	 not implementing recommendations. Policy for collecting data on sexual abuse allegations at facilities. Data collection instrument used for collecting data on sexual abuse allegations at facilities. Set of definitions used for collecting data on sexual abuse allegations at facilities. 	 Sample of aggregated and incident-based sexual abuse data. Sample of incident-based and all aggregate data from every private facility with which the agency contracts for the confinement of its inmates (if applicable).
DATA COLLEC	§115.88 – Data Review for Corrective Action	 Documentation of corrective action plans. Annual reports of findings from data reviews/corrective actions. Link to website where annual report is available. 	□ Additional documentation of corrective action plans.
	§115.89 – Data Storage, Publication, and Destruction	 Policy on storage of data on sexual abuse allegations at facilities. Policy on availability of aggregated sexual abuse data from facilities. Federal, State or local law requiring the agency maintain sexual abuse data collected for a time period that is different than required by the standard (which requires it be maintained for at least 10 years). 	 Website or other means for publicly available aggregated sexual abuse data. Sample of publicly available sexual abuse data. Historical data since August 20, 2012.