

PREA AUDIT REPORT Interim Final
ADULT PRISONS & JAILS

Date of report: 6/26/17

Auditor Information			
Auditor name: Cynthia Malm			
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Email: cmalm@idahosheriffs.org			
Telephone number: 208-346-1065			
Date of facility visit: October 31 – November 2, 2016			
Facility Information			
Facility name: Jefferson County Jail			
Facility physical address: 200 Courthouse Way, Rigby, Idaho 83442			
Facility mailing address: <i>(if different from above)</i> Same			
Facility telephone number: 208-745-9210			
The facility is:	<input type="checkbox"/> Federal	<input type="checkbox"/> State	<input checked="" type="checkbox"/> County
	<input type="checkbox"/> Military	<input type="checkbox"/> Municipal	<input type="checkbox"/> Private for profit
	<input type="checkbox"/> Private not for profit		
Facility type:	<input type="checkbox"/> Prison	<input checked="" type="checkbox"/> Jail	
Name of facility's Chief Executive Officer: Capt. Nora Ortega			
Number of staff assigned to the facility in the last 12 months: 20			
Designed facility capacity: 135			
Current population of facility: 82			
Facility security levels/inmate custody levels: Min/Med/Max			
Age range of the population: 18-91			
Name of PREA Compliance Manager: None		Title: Click here to enter text.	
Email address: Click here to enter text.		Telephone number: Click here to enter text.	
Agency Information			
Name of agency: Jefferson County Sheriff's Office			
Governing authority or parent agency: <i>(if applicable)</i> Jefferson County			
Physical address: 200 Courthouse Way, Rigby, Idaho 83442			
Mailing address: <i>(if different from above)</i> Same			
Telephone number: 208-745-9210			
Agency Chief Executive Officer			
Name: Steve Anderson		Title: Sheriff	
Email address: sanderson@co.jefferson.id.us		Telephone number: 208-745-9210	
Agency-Wide PREA Coordinator			
Name: Joshua Bush		Title: Lt.	
Email address: jbush@co.jefferson.id.us		Telephone number: 208-745-9210	

AUDIT FINDINGS

NARRATIVE

The Prison Rape Elimination Act (IPREA) on-site audit of the Jefferson County Jail in Rigby, Idaho was conducted on October 31 – November 2, 2016 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 IPREA 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, posters, inmate handbooks, flyers, website information, and other IPREA related materials that were provided to demonstrate compliance with the IPREA 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 IPREA Coordinator at the on-site audit.

An entrance meeting was held with Lt. Joshua Bush, the IPREA Coordinator at 8:30 a.m. on October 31. Lt. Bush 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 in the facility from which to work and conduct confidential interviews of staff. The auditor was also provided a private interview room, within the jail, to conduct confidential interviews with inmates. Formal personal interviews were conducted with facility staff, inmates, and contract employees. The auditor interviewed a total of ten inmates who were randomly selected from each of the seven housing units in the jail. There were no youthful, transgender, intersex, disabled, or non-English speaking inmates incarcerated 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. One inmate was interviewed who had reported a sexual abuse at intake and confirmed that the deputy offered counseling but the inmate refused. Inmates were interviewed using the recommended DOJ protocols that question their knowledge of a variety of IPREA protections, generally and specifically, their knowledge of reporting mechanisms available to residents to report abuse or harassment. All of the inmates I interviewed acknowledged that they had received information on IPREA at booking explaining their right to be free from sexual abuse and sexual harassment, their right to be free from retaliation for reporting a sexual abuse or sexual harassment, and how to report a sexual abuse or sexual harassment. All inmates received a flyer that contained information on how to report a sexual assault or sexual harassment and were required to read it and sign that they had read it. The inmate handbook is made available to inmates in English, one in Spanish is on the wall of the housing unit, and posters are on the wall of the housing unit. All inmates said they felt safe in the Jefferson County Jail and the deputies respond quickly to any problems.

The auditor interviewed nine staff members representing two shifts (1st shift 6:00 a.m. to 6:00 p.m., and 2nd shift 6:00 p.m. to 6:00 p.m. and a food services employee. The auditor also interviewed ten specialty staff, including shift sergeants, medical and mental health (contract staff), investigative staff, intake and screening staff, first responders, staff responsible for retaliation monitoring, incident review staff and staff who supervise inmates in segregated housing. Also interviewed were the Sheriff, Jail Administrator, and IPREA Coordinator. Staff were interviewed using the DOJ protocols that question their IPREA 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 Eastern Idaho Regional Medical Center in Idaho Falls, Idaho. All staff were very knowledgeable about IPREA and their responsibilities in preventing, detecting, and reporting sexual abuse and sexual harassment. All confirmed that they have extensive 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. Case files for four inmates in the facility were reviewed in the booking room to evaluate screening and intake procedures, inmate education, and inmate signatures of acknowledgement. Classification records of inmate education, risk assessments, and housing decisions were also reviewed.

Following the entrance meeting, the auditor toured the facility from 9:00 - 11:45 a.m. and was escorted by Capt. Nora Ortega, the Jail Administrator and Lt. Joshua Bush, the IPREA Coordinator. During the tour, the auditor reviewed the booking process, observed the facility configuration, camera and mirror placement throughout the facility, blind spots, 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 shower areas allow residents to shower separately and shower stalls are equipped with shower curtains. Toilets are inside the cells and provide privacy for inmates. The auditor reviewed the camera views in Central Control and verified that toilets and showers were not monitored by the cameras. Notices of the IPREA audit were posted throughout the facility in the dayrooms. During the tour, the auditor was given privacy to talk informally to staff and inmates in the booking room, housing units, program areas, 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, the auditor reviewed questions noted on the auditor's compliance tool with Lt. Joshua Bush and reviewed additional documentation to verify compliance with the standards.

At the conclusion of the on-site visit, an exit meeting was held at 7:40 p.m. on November 2 between the auditor, Capt. Nora Ortega and Lt. Joshua Bush 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.

DESCRIPTION OF FACILITY CHARACTERISTICS

The Jefferson County Sheriff's Office operates the Jefferson County Jail which is an indirect supervision detention facility with a rated capacity of 135 beds. The head count on the day of the IPREA audit was 82. The facility has a total of seven housing units. Two main units for females, two main units for males, one unit for Work Release male inmates, one unit for inmate workers (currently female), and one for special housing that holds four single rooms. The booking area has three cells for temporary holding. Juveniles are not housed in the facility.

Five of the housing units surround the Master Control Center of the Jail. Two units surrounding Master Control are male housing with one housing minimum custody inmates (A-Pod) and the other housing medium/maximum security inmates (B-Pod). All of the men's housing are two-man cells. Two units surrounding Master Control are female housing with one housing minimum custody and the other housing medium/maximum security inmates. The minimum security housing for females is four dorm rooms housing up to eight in each dorm (C-Pod). The medium/maximum security housing for females has four two person rooms and two dorm rooms that house up to eight inmates in each room (D-Pod). The fifth unit is a dorm that can house up to sixteen persons and is located in the work release hallway.

The Jefferson County Jail consists of one building that is shared with the Courthouse and the Sheriff's Office. The Jefferson County Sheriff's Office and Jail's address is 200 Courthouse Way, Rigby, Idaho. The Jefferson County Jail houses both male and female inmates. New arrests enter the jail via a secure sallyport. Each arrestee is given a pat search in a room in between the doors from the sallyport to the intoxic room and into the booking area. There is also a small holding cell in between the sallyport and the booking area that has a drain in the floor. Booking has three holding cells and a separate changing room with a toilet and shower. There is one main hallway from booking to the rest of the jail running east and west. To the east is a hallway that leads to the laundry room on the south side of the hallway. Farther down the hallway is another hall that goes to the kitchen. There is one room between that hallway and the elevator which goes up to a hallway and drops back down to two holding cells where inmates wait for court. Adjacent to the west of booking there is a hallway of four one-man rooms (OC) for those who are on observation either for disciplinary or medical or protective custody. Inmates in the observation cells have their own hallway with shower, tablet, and phone. The medical office is adjacent to OC on the west side of the Main hallway. Across the hall from the main OC door is the visiting area and adjacent to the visiting area is the library and programs room. There is also an indoor recreation room next to the library. Across the hallway from the library and indoor recreation room is another hallway where the work release inmates are housed in an open dorm which holds a maximum capacity of 16 (WR7). Another open dorm room to the south of that hallway houses inmate workers and has a maximum capacity of 8 (WR6). Continuing west down the main hallway is Master Control. Master Control is centered between the four largest housing units and outdoor recreation room and the main hallway. A-Pod sits on the northeast side of Master Control and houses a maximum capacity of 16 inmates. B-Pod sits on the northwest side of Master Control adjacent to A-Pod and houses a maximum capacity of 32 inmates. C-Pod is on the southwest side of Master Control and houses a maximum of 32 inmates. D-Pod is on the southeast side of master Control adjacent to C-Pod and houses a maximum capacity of 24 inmates.

The building is monitored and operated by Master Control which employs touch screen monitoring and security systems to monitor movement and operate doors, cameras, and intercoms within and outside of the facility. There is always at least one deputy in Master Control to operate the doors, cameras, and intercoms. Cameras are placed strategically at all entrances and exits of the facility inside and outside. Inside cameras are in each housing unit, indoor recreation, outdoor recreation, library, both sides of visiting, booking, kitchen laundry, sallyport, intoxic room, and in every hallway within the jail. There are also cameras in both holding cells for court and in each of the courtrooms.

The Jefferson County Sheriff's Office and Courthouse are attached to the jail outside of the secure perimeter. Inmates are escorted through all areas of the jail. The jail administrative office is just outside of the booking area of the jail to the north through two secured doors. The Jail Captain and Lieutenant share that office.

SUMMARY OF AUDIT FINDINGS

During the past twelve months, the Jefferson County Jail reported there were two allegations of IPREA complaints received:

- (1) One report of possible inmate-on-inmate abuse was an administrative investigation within the jail and was substantiated.
- (2) One report of possible inmate-on-inmate sexual harassment was an administrative investigation and was unfounded.

All administrative sexual harassment allegations are investigated by a detention sergeant. Administrative inmate-on-inmate abuse and criminal investigations are done by the Jefferson County Detective Division. Criminal investigations that allegedly involve staff-on-inmate abuse are referred to the Tri-County Investigators who are comprised of sheriff's office detectives from around the region so that criminal complaints can be taken outside the agency when needed.

All of the interviews with inmates reflected that they received a flyer on IPREA during booking, were told to read it, and they signed an acknowledgement form of receiving the education. All stated that information is posted on the wall of the housing unit, in the handbook, and on the phones. All knew they could access a hotline number on the phone. The majority of inmates had limited knowledge on all the ways to report a sexual abuse or sexual harassment, including some outside sources. Most of the inmates did not know that advocates were available or how to contact them. They were aware that they could report verbally, in writing, anonymously, and through a third party. All of the inmates said they felt safe in the Jefferson County Jail and confirmed that the officers are very quick to respond to any possible sexual abuse or sexual harassment complaints in the facility.

All facility staff interviewed indicated they had received detailed IPREA training and could articulate the meaning of the agency's zero tolerance policy and what they were doing to achieve it. Staff was knowledgeable about their roles and responsibilities in the prevention, reporting, and response to sexual abuse and sexual harassment. Staff were able to explain the variety of reporting mechanisms for inmates and staff to use to report sexual abuse and sexual harassment. Staff were also aware of their responsibilities as a first responder to any IPREA incident and explained that they have a detailed checklist to follow to keep them on track during and after an incident.

In summary, after reviewing all pertinent information and after conducting inmate and staff interviews, the auditor found that the IPREA Coordinator and agency leadership have clearly made IPREA compliance a high priority and have devoted a significant amount of time and resources over the last few years to policy development, training of staff, and education of inmates on all aspects of IPREA. When confronted with the areas that do not meet standards, the IPREA Coordinator and agency leadership began working immediately to implement any corrective action plans that were agreed upon between the agency and the auditor. These immediate actions reinforced the agency's commitment to ensuring the safety of inmates and staff in the Jefferson County Jail.

OVERALL COMPLIANCE AS REFLECTED IN INTERIM COMPLIANCE REPORT:

Number of standards exceeded: 5

Number of standards met: 34

Number of standards not met: 0

Number of standards not applicable: 4

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

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

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

115.11(a) The Jefferson County Jail has implemented a zero tolerance policy as detailed in Policy K-180 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 and descriptions of the agency strategies and responses to sexual abuse and harassment. And, the policy details what sanctions are imposed for those found to have participated in prohibited behaviors. 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 IPREA Coordinator, Lt. Joshua Bush, to oversee policy and procedure development and operations in reference to sexual abuse and sexual harassment. The IPREA Coordinator reports directly to the Jefferson County Jail Administrator, Capt. Nora Ortega, who, in turn, reports directly to the Jefferson County Chief Deputy John Wolfe. Lt. Bush indicated that he has sufficient time and authority to develop, implement, and oversee the agency’s efforts toward IPREA compliance and Sheriff Steve Anderson confirmed that Capt. Ortega and Lt. Bush have full support of the Sheriff’s Office in all of their efforts to bring the Jefferson County Jail into compliance with the IPREA standards.

115.11(c) The Jefferson County Sheriff’s Office operates only one facility and, therefore, has not assigned an IPREA Compliance Manager to the facility.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Jefferson County Jail Policy K-180
- Jefferson County Jail’s Organizational Chart
- Interview with Capt. Nora Ortega, Jail Administrator
- Interview with Sheriff Steve Anderson
- Interview with Lt. Joshua Bush, IPREA Coordinator
- Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush

Standard 115.12 Contracting with other entities for the confinement of inmates

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

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

115.12(a-b) The Jefferson County Jail 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 IPREA audit. This part of the standard is, therefore, not applicable to the Jefferson County Jail.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Interview with Capt. Nora Ortega, Jail Administrator
Interview with Lt. Joshua Bush, IPREA Coordinator

Standard 115.13 Supervision and monitoring

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

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

115.12(c) The Jefferson County Jail 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 Jefferson County Jail during the twelve months prior to the audit was 72 and the staffing plan was predicated on 75 inmates. The staffing plan requires a minimum of five detention staff on day shift and three detention staff on night shift. The plan states two supervisors on dayshift and a minimum of one on the night 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 IPREA 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.

Lt. Bush 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 overtime personnel, administration, or reserves, when necessary, to avoid deviations from the staffing plan.

115.12(d) The staffing plan is reviewed a minimum of once a year to determine if it is still adequate to meet the needs of the Jefferson County Jail and protect inmates from sexual abuse. The last review and implementation of the staffing plan was done March of 2016. During the staffing analysis, Sheriff Steve Anderson and Capt. Sam Dye (jail administrator at the time), 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. They also reviewed resources available to the facility to ensure adherence with the staffing plan.

115.12(e) The Jefferson County Jail has detailed in Policy K-180 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. The policy states that unannounced supervisor rounds will be done preferably once each shift, but no less than three times a week. 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 also confirmed that the rounds are unannounced and staff are prohibited from alerting other staff that the rounds are taking place.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Jefferson County Jail Policy K-180
- Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
- Idaho Jail Standards
- Jefferson County Jail Staffing Plan
- Schematic plan of where the cameras are placed
- 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 Capt. Nora Ortega, Jail Administrator
- Interview with Lt. Joshua Bush, IPREA Coordinator
- Jefferson County Jail population report for 2015 and 2016

Standard 115.14 Youthful inmates

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

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

115.14(a) The Jefferson County Jail has detailed in Policy K-180 how a youthful inmate would be housed in the facility. Youthful inmates are rarely housed in the Jefferson County Jail. The Jefferson County Jail has kept the policies in place for the rare occasion that they may be required to house a youthful inmate in accordance with Idaho law. If a youthful inmate is placed in the Jefferson County Jail, the Jail 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 Policy K-180, the Jefferson County Jail 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 Jefferson County Jail has detailed in Policy K-180 that the Jail will make its best efforts to avoid placing a youthful inmate in segregation to comply with this standard. Absent exigent circumstances, the facility does not deny youthful inmates daily large-muscle exercise or any legally required special education services while in the facility. The policy states that the Jail Administrator will arrange for a tutor to come to the facility regularly to assist the youthful inmate. The policy states that youthful inmates are given access to other programs and work opportunities to the extent possible. There was no documentation to review as the Jefferson County Jail has not housed any youthful inmates in the 12 months prior to the audit.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Jefferson County Jail Policy K-180
- Interview with Lt. Joshua Bush , IPREA Coordinator
- Interviews with random staff
- Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
- Jefferson County Jail Population Report for 2015 and 2016

Standard 115.15 Limits to cross-gender viewing and searches

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

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

115.15(a) The Jefferson County Jail's Policy K-180 details that cross gender strip searches are prohibited except in 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 Jefferson County Jail's Policy K-180 states that cross gender pat down searches are prohibited except in exigent circumstances. In the past 12 months, no cross gender searches of female inmates were done. The policy states that if a cross gender pat down search must be done, the staff member will obtain supervisory permission before conducting the pat down search. Policy K-180 and 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 Jefferson County Jail's Policy K-180 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.

115.15(d) The Jefferson County Jail's policy K-180 and practice ensures that inmates are able to shower, perform bodily functions, and change clothing with privacy. The policy details the exigent circumstances that would be required for staff of the opposite gender to deviate from this policy. Policy requires an announcement when staff of the opposite gender enter the housing unit and the shower/toilet areas. The auditor observed staff conducting rounds in cross gender housing units and did not observe any announcements. Interviews with inmates and staff reflected that this is not done on a consistent basis. Therefore, the auditor finds that the Jefferson County Jail does not meet this part of the standard.

115.15(e) Jefferson County Jail 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 Jefferson County Jail has not provided any training on how to conduct cross gender pat down searches and searches of transgender and intersex inmates in a professional manner other than the training received by some of the deputies at the Idaho P.O.S.T. Academy. Therefore, the auditor finds that the Jefferson County Jail does not meet this standard.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail's Policy K-180
Completed Pre-Audit Questionnaire submitted by Sgt. Joshua Bush
Interview with Lt. Joshua Bush, IPREA Coordinator
Interviews with random inmates and staff
IPREA training curriculum

CORRECTIVE ACTION REQUIRED:

1. The Jefferson County Jail should enforce the policy on staff making announcements when they enter the housing unit of

- inmates of a different gender than the staff member.
2. The Jefferson County Jail should arrange to have all of the detention deputies trained on how to conduct cross gender pat down searches and searches of transgender and intersex inmates in a professional manner either through the PREA Resource Center online training or other acceptable training course.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

The auditor returned to the Jefferson County Jail on June 20, 2017 and was provided supplemental documentation and explanation to evidence and demonstrate corrective actions taken by Jefferson County regarding this standard. Jefferson County Jail has adopted the policy that staff members will make an announcement whenever they enter the housing unit of inmates who are opposite gender of the staff member. The auditor observed these cross-gender announcements during the follow-up visit.

Additional Documentation Reviewed:

1. Jefferson County Jail Policy 115.15(d)
2. Roster of all detention deputies who took the “Guidance in Cross-Gender and Transgender Pat Searches”

On June 2, 2017, Lt. Joshua Bush sent the auditor documentation to confirm that all of the detention deputies have taken the class on “Guidance in Cross-Gender and Transgender Pat Searches” from the PREA Resource Center.

The auditor finds that the Jefferson County Jail is now fully compliant with this standard.

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

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

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

115.16(a) The Jefferson County Jail’s Policy K-180 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. The steps include, when necessary to ensure effective communication with inmates who are deaf or hard of hearing, giving them the information to read and, if they can’t read, providing access to interpretation through court signing interpreters who can interpret effectively, accurately, and impartially. 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 Jefferson County Jail will locate someone who can effectively communicate with inmates with psychiatric, intellectual or speech disabilities through a Mental Health practitioner. All staff receive yearly training on IPREA compliant practices for inmates with disabilities and inmates with limited English proficiency. 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.

The Jefferson County Jail 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. Flyers explaining the inmate’s right to be free from sexual abuse and sexual harassment are available in a Spanish version. Posters are hung on the wall of the housing unit that explain how to report a sexual abuse or sexual harassment. The agency also has an agreement with a Language Line that provides immediate translation services via the telephone. Also, some of the deputies of the Jefferson County Sheriff’s Office and Jail Division speak other languages and are able to interpret for the Jail, when needed. There were no limited English proficient inmates in the facility at the time of the audit.

115.16(b) Jefferson County Jail Policy K-180 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 Jefferson County Jail reports that there have

been no instances in the past 12 months where inmate interpreters have been used to assist other inmates. 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 have been used.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Interview with Lt. Joshua Bush, IPREA Coordinator
Interviews with random facility staff
Samples of IPREA posters and flyer translated into Spanish
Yearly IPREA training curriculum for staff

Standard 115.17 Hiring and promotion decisions

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

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

115.17(a) Jefferson County Jail Policy K-180 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 background records 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 Jefferson 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 Jefferson 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, six people have been hired who have contact with inmates and those persons had an extensive background and criminal history check completed prior to hiring. All current staff who have contact with inmates have had the extensive background and criminal history check before being hired.

115.17(d) Jefferson County Jail Policy K-180 requires that a criminal background records check be completed before enlisting the services of any contractor who may have contact with inmates. In the past twelve months, the Jefferson County Sheriff’s Office has conducted criminal background record checks on one contract employees who has been hired and has contact with inmates.

115.17(e) Policy and procedures of the Jefferson County Sheriff’s Office require all employees of the Jail have a criminal background records check done every five years. Documentation confirmed this is being done.

115.17(f) The Jefferson County Jail asks all applicants during the initial interview for hire about any prior sexual misconduct of the type specified in 115.17(a) of this section. The Jail imposes upon employees a continuing affirmative duty to disclose any such misconduct.

115.17(g) The Jefferson County Jail Policy K-180 states that material omissions regarding such misconduct or provision of materially false information shall be grounds for termination.

115.17(h) Policy K-180 requires the Jefferson 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 Jefferson County Sheriff's Office does require that the requesting agency provides a signed release of information from the applicant before giving the agency the requested information.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Idaho P.O.S.T. IDAPA Rules
Idaho Jail Standards
Interview with Lt. Joshua Bush, IPREA Coordinator

Standard 115.18 Upgrades to facilities and technologies

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

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

115.18(a) The Jefferson County Sheriff's Office and Jefferson County Jail 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 Jefferson County Jail 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, support services areas, and internal entrances into the building. Cameras are not placed in the sleeping areas and the shower or toilet areas. During the twelve months prior to the audit, the Jefferson County Jail put numerous cameras in throughout the building to cover blind spots and protect inmates from sexual abuse.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Jefferson County Jail's schematic of camera placement throughout the facility and proposed new camera and monitoring system
Interview with Capt. Nora Ortega, Jail Administrator
Interview with Jefferson County Sheriff Steve Anderson

Standard 115.21 Evidence protocol and forensic medical examinations

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

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

corrective actions taken by the facility.

115.21(a - b) The Jefferson County Sheriff's Office and Jail follow the Idaho Policing Policy uniform evidence collection protocol that contains details for obtaining physical evidence for administrative and criminal investigations of sexual abuse. The protocol is developmentally appropriate for youth but no youthful inmates are held in the facility. The Eastern Idaho Regional Medical Center has its own uniform evidence collection protocol used for sexual assault exams.

115.21(c) The Jefferson County Jail Policy K-180 states that all victims of sexual abuse are offered access to forensic medical examinations where evidentiary or medically appropriate. Lt. Joshua Bush explained that these exams will normally be done at Eastern Idaho Regional Medical Center in Idaho Falls, Idaho. The policy states there is no financial cost to the victim. 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 Jefferson County Jail has an agreement with Family Crisis Center, located in Rexburg, Idaho to provide rape crisis services to victims of sexual assault. Family Crisis Center has a 24/7 hour crisis line that inmates can call free of charge and the calls are not recorded. The Jefferson County Jail gave the auditor a flyer from the Family Crisis Center that gave an in-depth description of the services it provides.

115.21(e) The Jefferson County Jail Policy K-180 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. 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 Jefferson County Jail only has an outside agency conduct the investigation if the allegation involves staff. All investigations that allegedly involve staff are referred outside the agency, by Sheriff Steve Anderson, to the Tri-County Investigations unit. All Jefferson County Detectives who are involved in the investigations have had the specialized training for investigators in a confinement setting and all have had training on sexual assault investigations. All IPREA complaints are investigated for possible criminal activity and the Jefferson County Sheriff's Office and the Tri-County Investigations unit maintain a close working relationship with the County Prosecutor. The Jefferson County Sheriff's Office has an MOU with the Tri-County Investigations Unit.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180

Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush

Interview with Capt. Nora Ortega, Jail Administrator

Interview with Lt. Joshua Bush, IPREA Coordinator

Interview with Sheriff Steve Anderson

Interview with Jefferson County Sheriff's Office criminal investigators

Flyers that list contact information and services for Family Crisis Center

Law Enforcement Mutual Assistance Compact between sheriffs participating in Tri-County Investigations

Idaho Policing Policy Uniform Evidence Collection Protocol

Training certificates for all IPREA investigators within the agency

Standard 115.22 Policies to ensure referrals of allegations for investigations

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

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

115.22(a) The Jefferson County Jail assigns a detective to conduct administrative and criminal investigations of sexual abuse. Jail Sergeants handle investigations of sexual harassment. Sheriff Steve Anderson will refer an allegation to Tri-County Investigators when appropriate. All investigations that allegedly involve staff are referred outside the agency to the Tri-County Investigations unit. All detectives involved in the investigations have had the specialized training for investigators in a confinement setting and all detectives have had training in sexual assault investigations. All IPREA complaints are investigated for possible criminal activity and the Jefferson County Sheriff's Office and the Tri-County Investigations unit maintain a close working relationship with the County Prosecutor. Documentation showed that two allegations of sexual abuse or sexual harassment were investigated with both being an administrative investigations. One allegation of inmate-on-inmate sexual abuse was substantiated and one allegation of sexual harassment was unfounded.

115.22(b) The policy regarding the referral of allegations of sexual abuse or sexual harassment for criminal investigation is available in the Jefferson County Sheriff's Office lobby and is posted next to the visiting door.

115.22(c) Jefferson County Jail practice requires administrative investigations of sexual harassment are done by a supervisor in the Jail and administrative and criminal investigations of sexual abuse are done by a detective in the sheriff's office who has had the special training to conduct investigations in confinement settings. The allegation is assigned to an investigator by the Sheriff or Jail Administrator.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180

Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush

Interview with Capt. Nora Ortega, Jail Administrator

Interview with Lt. Joshua Bush, IPREA Coordinator

Interview with Sheriff Steve Anderson

Interviews with Jefferson County Sheriff's administrative and criminal investigators

PREA Investigator training certificates for Jefferson County Investigators

Logs of sexual abuse and sexual harassment allegations and subsequent investigations

Standard 115.31 Employee training

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

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

115.31(a - b) The Jefferson County Jail Policy K-180 requires that employees receive one hour of IPREA refresher training a minimum of every two years that goes over all of the IPREA requirements. In years in which an employee does not receive refresher training, the agency shall provide refresher information on current sexual abuse and sexual harassment policies. Documentation provided included a lesson plan from the PREA Resource Center on each of the ten topics that was very comprehensive and covered all of the topics. Interviews with random staff revealed that the staff have extensive training on IPREA and are very knowledgeable on the topics. Lt. Joshua Bush stated that training is done yearly rather than every two years. Therefore the auditor finds that the Jefferson County Jail exceeds this part of the standard.

115.31(c) The training is tailored to the gender of the inmates at the Jefferson County Jail which houses both female and male inmates. There is only 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(d) IPREA refresher training that reviews all of the requirements of IPREA is provided to employees every year instead of every other year. Staff are also required to watch The PREA Resource Center PREA video. Because the facility provides full and ongoing IPREA training yearly instead of every other year, the auditor finds that the facility exceeds this part of the standard.

115.31(e) 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 extensive yearly training.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
PREA Training Curriculum from the PREA Resource Center
Staff training Records
Interview with Lt. Joshua Bush, IPREA Coordinator
Interviews with random staff

Standard 115.32 Volunteer and contractor training

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

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

115.32(a) The Jefferson County Jail Policy K-180 requires all volunteers and contractors who may have contact with inmates be trained on IPREA requirements. The training curriculum includes a modified version of the staff training that covers all the required topics and their responsibilities under the IPREA requirements. Sixteen volunteers and individual contractors who have contact with inmates have been trained in IPREA requirements during the last twelve months. This totals 100 % that have been trained.

115.32(b) 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(c) All volunteers and contractors are required to sign they have had the training and the documentation is kept on file at the Jefferson County Sheriff’s Office.

There were no volunteers on site at the time of the audit. Two contractors were interviewed (medical and mental health) and compliance was found with this standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
IPREA Training power point presentation for volunteer and contractors
IPREA Acknowledgement Form for volunteers and contractors
Interview with Lt. Joshua Bush, IPREA Coordinator
Interview with Medical Practitioner contractor
Interview with Mental Health Contractor

Standard 115.33 Inmate education

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

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

115.33(a - c) The Jefferson County Jail reports that 516 inmates have been admitted since March to the facility when inmate education began. All inmates in the Jefferson County Jail receive IPREA orientation materials at intake and are told to read the flyer and sign it. The inmate is given a handbook, and signs a medical questionnaire that provides information about IPREA and how to report an incident of sexual abuse and sexual harassment. There is no comprehensive training given to inmates within 30 days of intake. Therefore the auditor finds that the Jefferson County Jail does not meet this standard.

115.22(d - e) The Jefferson County Jail ensures that key information is continuously available to inmates through posters, flyers, and inmate handbooks. IPREA posters are displayed in the dayrooms with a list of ways to report. IPREA flyers and handbooks are in English and Spanish. The facility provides translation services for all IPREA educational materials for inmates with disabilities and limited English proficient through a language line.

Interviews with random inmates revealed that the inmates are not retaining the information they are provided through handbook, posters and flyers. Interviews with inmates confirmed that they received information on IPREA at booking from the booking deputy and received a PREA pamphlet and inmate handbook that contained information on how to report a sexual assault or sexual harassment. All stated that information is posted on the wall of the housing unit, and is in the inmate handbook. All knew they could access a hotline number on the phone. Some inmates knew they could contact people on the outside to report a sexual abuse or sexual harassment and that reports can be done verbally, in writing, anonymously and by third party. The majority of inmates stated they feel safe in the Jefferson County Jail and stated that deputies are quick to respond to any problems in the facility. However, few of the inmates were aware of all of the ways to report, and none were aware that advocates were available or that they could contact Bonneville County to report an allegation. Few knew that any calls were free or unmonitored. Therefore, the auditor finds the the Jefferson County Jail does not meet this standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
IPREA Inmate Acknowledgement Form and random signatures
Inmate signatures on the Medical Screening Form
Inmate Handbook
IPREA flyers
IPREA Posters displayed in dayrooms
Interview with Lt. Joshua Bush, IPREA Coordinator
Interviews with random inmates
Interviews with random staff

CORRECTIVE ACTION REQUIRED:

1. The Jefferson County Jail policy should require booking deputies to explain the flyer to the inmate and describe the ways to report an incident of sexual abuse or sexual harassment.
2. The Jefferson County Jail should provide comprehensive training to inmates within 30 days of intake and continuously beyond that.
3. The Jefferson County Jail should post more detailed information by the phones in the dayrooms that includes ways to report inside and outside the facility along with phone numbers of those agencies.
4. The Jefferson County Jail should include in the posted information what calls are free and unmonitored.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

The auditor returned to the Jefferson County Jail on June 20, 2017 and was provided supplemental documentation and explanation to evidence and demonstrate corrective actions taken by Jefferson County regarding this standard and interviewed five randomly selected inmates from throughout the facility. These are discussed below:

Additional Documentation Reviewed:

1. Poster that explains how to report a sexual abuse or sexual harassment.
2. The auditor observed the poster has been placed on the wall by the phones in each housing unit.
3. Script of the audio recording played to inmates
4. Jefferson County Jail Policy 115.33

Lt. Joshua Bush verified that the Booking Deputy explains the information that is on the flyer to the inmate at booking and explains how to report incidents or suspicions of sexual abuse or sexual harassment. The Booking Deputy also answers any questions the inmate may have about reporting an IPREA incident. At the end of the discussion, the inmate reads and signs a form saying that he or she understands the information and how to report a sexual abuse or sexual harassment. Jefferson County Jail Policy 115.33 outlines this procedure.

Lt. Joshua Bush verified that an in-depth audio recording explaining the IPREA rules and regulations is played to inmates on the 1st and 15th of every month. Also, staff or the IPREA Coordinator personally meets with inmates regularly for instruction. The Jefferson County Jail maintains documentation of inmate attendance and the content of the education given to the inmates.

The Jefferson County Jail has created a new poster that lists all of the ways to report, including outside agencies and confidential support services. Phone numbers and addresses are included on the poster along with details of how to access the agencies. Information on the posters also explains which calls are free and unmonitored.

The auditor interviewed five random inmates throughout the facility about the ways to report sexual harassment and sexual abuse. All of the inmates could explain several ways to report, including outside agencies and third party. Three of the five knew there were confidential support services available and three out of the five knew the calls are free and unmonitored. All knew the poster was on the wall in the housing unit and were confident they could immediately get help, if needed.

The Jefferson County Jail is now fully compliant with this standard.

Standard 115.34 Specialized training: Investigations

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

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

115.34(a) The Jefferson County Jail Policy K-180 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.

Three criminal investigators in the Jefferson County Sheriff's Office have taken this course and conduct all administrative and criminal investigations into allegations of sexual misconduct and sexual harassment in the detention center. One of those three is no longer with the Sheriff's Office and the agency plans on having the jail administration and detention sergeants take the course so that they can do the administrative investigations.

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 Jefferson 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 investigators who took the investigator's specialized training.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Objectives for the online course, "Investigating Sexual Abuse in a Confinement Setting"
Training documentation for investigators completing the specialized training
Interviews with facility administrative and criminal investigators
Interview with Capt. Nora Ortega, Jail Administrator

Standard 115.35 Specialized training: Medical and mental health care

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

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

115.35(a) The Jefferson County Sheriff's Office contracts with Badger Medical to provide on-site medical care at the facility. Nurses are on duty five days a week, medication passers twice a day seven days a week, and the medical provider comes to the facility once a week. A mental health practitioner comes into the facility once every two weeks to treat inmates and will skype with inmates at other times, as needed. Interviews with contract medical staff and the contract mental health practitioner confirmed that they are provided in-depth training on their responsibilities under IPREA, both through their agency and through the jail. Specialized training includes the four elements required by this IPREA standard. The number of medical and mental health practitioners who work regularly at the facility and have had the training is seven.

115.35(b) The medical contractor does not conduct forensic exams at the Jefferson County Jail. Victims of sexual abuse are transported to Eastern Idaho Regional Medical Center in Idaho Falls, Idaho for the exam, when medically appropriate.

115.35(c - d) The agency maintains documentation that all medical and mental health practitioners who work at the facility have received specialized training provided by the facility and listed in (a) of this standard. Medical and mental health care practitioners also receive the training mandated for other employees of the facility.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
IPREA Acknowledgement Form for Volunteers and Contractors
Interview with Badger Medical nurse and Mental Health Practitioner
Interview with Lt. Joshua Bush, IPREA Coordinator

Standard 115.41 Screening for risk of victimization and abusiveness

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

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

115.41(a - b) Jefferson County Jail Policy K-180 requires that all inmates will be assessed during their intake screening for their risk of being sexually abused by other inmates or being sexually abusive toward other inmates. During the audit tour, Captain Nora Orega and Lt. Joshua Bush explained that the assessment is normally done at booking but will wait if the inmate is severely intoxicated or uncooperative. But, under no circumstances, would it go over 72 hours to complete the risk assessment. The Jefferson County Jail reported that 503 inmates have entered the facility within the past twelve months with a length of stay over 72 hours. All 503 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 all ten topical areas of information as detailed in this standard. The auditor reviewed six random files of inmates and verified that the screening instrument is being used.

115.41(e) The screening instrument also 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(g) If the risk screening indicates that an inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff will ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of intake. Jefferson County Jail Policy K-180 also requires that an inmate’s risk level be reassessed within 30 days of intake by the Classification Officer or Medical or 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 Jefferson County Jail from disciplining inmates for refusing to answer any questions referring to sexual abuse or for not disclosing any information on the screening questions listed in this standard. Because of this policy and practice, the auditor finds that the Jefferson County Jail exceeds this part of the standard.

115.41(i) Policy K-180 states that information in the risk screening form contains sensitive information and staff are prohibited from using the information to the detriment of the inmate. The policy further states that staff will face disciplinary action if this happens. However, the files are on the jail management system where all employees have access to the information. Therefore, controls are in place in policy but not in practice. Policy does not outline who is authorized to access the information. Therefore, the auditor finds that this section does not meet this part of the standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Objective Risk Screening Instrument
Interviews with random staff
Interview with Capt. Nora Ortega, Jail Administrator
Interview with Lt. Joshua Bush, IPREA Coordinator
Random Inmate Files

CORRECTIVE ACTION REQUIRED:

1. The Jefferson County Jail should put controls on the risk screening instrument in the jail management system so that only

authorized persons can access the information.

2. The Jefferson County Jail should add to policy who is authorized to access the inmate's risk screening instrument.

This corrective action should be put into place no later than June 1, 2017 so that the auditor can review the controls and the new policy. Once all corrective action is completed satisfactorily, the Jefferson County Jail will exceed this standard because of 115.41(h)

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

The auditor returned to the Jefferson County Jail on June 20, 2017 and was provided supplemental documentation and explanation to evidence and demonstrate corrective actions taken by Jefferson County regarding this standard.

Additional Documents Reviewed:

1. Jefferson County Jail Policy 115.41

Jefferson County Jail policy ensures sensitive assessment information is not exploited to the inmate's detriment by staff or other inmates. The policy states that staff will face disciplinary action if this is done. Policy states that only certified jail deputies shall have access to the assessments.

The Jefferson County Jail now exceeds this standard because of 115.41(h).

Standard 115.42 Use of screening information

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

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

115.42(a) The Jefferson County Jail 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) Classification deputies 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 Jefferson County Jail Policy K-180 requires that Classification Officers 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) Policy K-180 requires that at least every 30 days, beginning with the intake date, a reassessment will be completed on all transgender and intersex inmates to review any threats of safety experienced by the inmate. Because of the reassessment being done every thirty days, the auditor finds the Jefferson County Jail exceeds this 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 when making housing, bed, and programming assignments.

115.42(f) Policy K-180 states that transgender and intersex inmates will be allowed to shower separately from other inmates.

115.42(g) The Jefferson County Jail Policy K-180 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 Jefferson County Jail is under no such legal restriction.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Objective Screening Instrument
Interviews with random staff
Interview with Capt. Nora Ortega, Jail Administrator
Interview with Lt. Joshua Bush, IPREA Coordinator

Standard 115.43 Protective custody

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

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

115.43(a and d) The Jefferson County Jail Policy K-180 prohibits staff from placing inmates at high risk for sexual victimization in involuntary segregated 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 segregation for a time period, not to exceed 24 hours, in order to complete the assessment and find appropriate housing. Interviews with random staff and inmates revealed no incidents of involuntary housing being used for this purpose.

115.43(b) The policy requires any inmates placed in involuntary segregated housing have access to programs, privileges, education and work opportunities to the extent possible. If opportunities are restricted, staff will document 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 segregated housing for no more than 30 days.

115.43(d) The involuntary restricted housing of an inmate will be documented and will detail staff’s basic concern for the inmate’s safety, the reason why no alternative means of separation can be achieved, and the reason why the 30 days may need to be extended, if it does,.

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.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Objective Risk Assessment Instrument
Reassessment Form
Documentation of IPREA Restricted Housing Assignments over the last twelve months
Idaho Jail Standards

Standard 115.51 Inmate reporting

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

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

115.51(a) The Jefferson County Jail Policy K-180 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 or sexual harassment. Seven ways to report within the facility are in policy and explained to the inmates and there are five ways to report a sexual abuse or sexual harassment outside the agency listed in the policy. The reporting methods within the facility include telling a deputy, telling medical staff, writing a kite, writing a grievance, telling volunteers, writing a letter to administration, writing a personal letter to staff or administration. The information is in the inmate handbook which is given to the inmate during intake, is on a pamphlet they receive at intake, and is written on posters in the dayroom of their housing unit.

Interviews with inmates confirmed that they know there are several ways to report but the majority interviewed could not tell the auditor what those ways were. Therefore, the auditor finds that the Jefferson County Jail doesn’t meet this part of the standard.

115.51(b) The Jefferson County Jail has provided several methods for inmates to report outside the facility. Inmates can report on a hotline on the inmate phones that goes to the phone company who contacts the agency when they get a report. The facility also notifies inmates they can contact a family member, friend, attorney or anyone else outside the agency that they feel comfortable calling. The Jefferson County Jail Policy K-180 also lists three ways inmates can contact private or outside agencies to report a sexual abuse or sexual harassment. Inmates can contact the Bonneville County Sheriff’s Office, the crime reporting hotline, and a rape crisis hotline. 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 reporting hotline and the advocacy agency. Interviews with random inmates revealed that some of them knew they could call a third party but none of them knew about being able to contact advocates or Bonneville County and had no idea if the calls were free and unmonitored. Therefore, the auditor finds that the Jefferson County Jail does not meet this part of the standard.

115.51(c) The Jefferson County Jail Policy K-180 requires all staff to accept reports made verbally, in writing, anonymously, and from third parties. All allegations are documented promptly upon receipt and reported to a supervisor.

115.51(d) The Jefferson County Jail Policy states that staff can privately report an allegation of sexual abuse or sexual harassment to the IPREA Coordinator. Interviews with random staff confirmed that they know that they can report privately to the Coordinator

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Jefferson County Jail Policy K-180
- Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
- IPREA Inmate Acknowledgement Form and random signatures
- Inmate Handbook
- IPREA flyers

IPREA Posters displayed in dayrooms
Interviews with random inmates and facility intake staff
Interview with Lt. Joshua Bush, IPREA Coordinator

CORRECTIVE ACTION REQUIRED:

1. The Jefferson County Jail policy should require booking deputies to explain the flyer to the inmate and describe the ways to report an incident of sexual abuse or sexual harassment.
2. The Jefferson County Jail should provide comprehensive training to inmates within 30 days of intake and continuously beyond that.
3. The Jefferson County Jail should post more detailed information by the phones in the dayrooms that includes ways to report inside and outside the facility along with phone numbers of those agencies.
4. The Jefferson County Jail should include in the posted information what calls are free and unmonitored

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

The auditor returned to the Jefferson County Jail on June 20, 2017 and was provided supplemental documentation and explanation to evidence and demonstrate corrective actions taken by Jefferson County regarding this standard and interviewed five randomly selected inmates from throughout the facility. These are discussed below:

Additional Documentation Reviewed:

1. Poster that explains how to report a sexual abuse or sexual harassment.
2. The auditor observed the poster has been placed on the wall by the phones in each housing unit.
3. Script of the audio recording played to inmates
4. Jefferson County Jail Policy 115.33

Lt. Joshua Bush verified that the Booking Deputy explains the information that is on the flyer to the inmate at booking and explains how to report incidents or suspicions of sexual abuse or sexual harassment. The Booking Deputy also answers any questions the inmate may have about reporting an IPREA incident. At the end of the discussion, the inmate reads and signs a form saying that he or she understands the information and how to report a sexual abuse or sexual harassment. Jefferson County Jail Policy 115.33 outlines this procedure.

Lt. Joshua Bush verified that an in-depth audio recording explaining the IPREA rules and regulations is played to inmates on the 1st and 15th of every month. Also, staff or the IPREA Coordinator personally meets with inmates regularly for instruction. The Jefferson County Jail maintains documentation of inmate attendance and the content of the education given to the inmates.

The Jefferson County Jail has created a new poster that lists all of the ways to report, including outside agencies and confidential support services. Phone numbers and addresses are included on the poster along with details of how to access the agencies. Information on the posters also explains which calls are free and unmonitored.

The auditor interviewed five random inmates throughout the facility about the ways to report sexual harassment and sexual abuse. All of the inmates could explain several ways to report, including outside agencies and third party. Three of the five knew there were confidential support services available and three out of the five knew the calls are free and unmonitored. All knew the poster was on the wall in the housing unit and were confident they could immediately get help, if needed.

The Jefferson County Jail is now fully compliant with this standard.

Standard 115.52 Exhaustion of administrative remedies

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance

determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The Jefferson County Jail 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.

Standard 115.53 Inmate access to outside confidential support services

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

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

115.53(a and c) The Jefferson County Jail has an MOU with the Family Crisis Center in Rexburg, Idaho 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. The policy states that the inmate can receive this information through several ways. Interviews with random inmates revealed that inmates were unaware there were advocacy services available and had no idea who they were, how to contact them, or if the calls were free. Therefore, the auditor finds that the Jefferson County Jail does not meet this part of the standard.

The Jefferson County Jail Policy K-180 enables communication between the advocate and the victim in as confidential manner as is possible.

115.53(b) Prior to giving the inmate access to the advocate, the Jefferson County Jail Policy K-180 states that the agency explains to the inmate the extent that the communication will be monitored. 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.

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.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Jefferson County Jail Policy K-180
- Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
- MOU between the Family Crisis Center and the Jefferson County Sheriff’s Office and Jail
- IPREA informational pamphlet
- Inmate Handbook
- Interviews with random inmates
- Interview with Lt. Joshua Bush, IPREA Coordinator

CORRECTIVE ACTION REQUIRED:

1. The Jefferson County Jail policy should require booking deputies to explain the flyer to the inmate and describe the ways to report an incident of sexual abuse or sexual harassment.
2. The Jefferson County Jail should provide comprehensive training to inmates within 30 days of intake and continuously beyond that.
3. The Jefferson County Jail should post more detailed information by the phones in the dayrooms that includes ways to report inside

- and outside the facility along with phone numbers of those agencies.
4. The Jefferson County Jail should include in the posted information what calls are free and unmonitored

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

The auditor returned to the Jefferson County Jail on June 20, 2017 and was provided supplemental documentation and explanation to evidence and demonstrate corrective actions taken by Jefferson County regarding this standard and interviewed five randomly selected inmates from throughout the facility. These are discussed below:

Additional Documentation Reviewed:

1. Poster that explains how to report a sexual abuse or sexual harassment.
2. The auditor observed the poster has been placed on the wall by the phones in each housing unit.
3. Script of the audio recording played to inmates
4. Jefferson County Jail Policy 115.33

Lt. Joshua Bush verified that the Booking Deputy explains the information that is on the flyer to the inmate at booking and explains how to report incidents or suspicions of sexual abuse or sexual harassment. The Booking Deputy also answers any questions the inmate may have about reporting an IPREA incident. At the end of the discussion, the inmate reads and signs a form saying that he or she understands the information and how to report a sexual abuse or sexual harassment. Jefferson County Jail Policy 115.33 outlines this procedure.

Lt. Joshual Bush verified that an in-depth audio recording explaining the IPREA rules and regulations is played to inmates on the 1st and 15th of every month. Also, staff or the IPREA Coordinator personally meets with inmates regularly for instruction. The Jefferson County Jail maintains documentation of inmate attendance and the content of the education given to the inmates.

The Jefferson County Jail has created a new poster that lists all of the ways to report, including outside agencies and confidential support services. Phone numbers and addresses are included on the poster along with details of how to access the agencies. Information on the posters also explains which calls are free and unmonitored.

The auditor interviewed five random inmates throughout the facility about the ways to report sexual harassment and sexual abuse. All of the inmates could explain several ways to report, including outside agencies and third party. Three of the five knew there were confidential support services available and three out of the five knew the calls are free and unmonitored. All knew the poster was on the wall in the housing unit and were confident they could immediately get help, if needed.

The Jefferson County Jail is now fully compliant with this standard.

Standard 115.54 Third-party reporting

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

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

115.54(a) The Jefferson County Jail allows third parties to report a sexual abuse or sexual harassment incident on behalf of an inmate. The agency provides information in its lobby and on the visiting door on how to report a sexual abuse or sexual harassment of an inmate.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Completed Pre-Audit Questionnaire completed by Lt. Joshua Bush
Notic of How to Report

Standard 115.61 Staff and agency reporting duties

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

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

115.61(a) The Jefferson County Jail Policy K-180 requires staff to immediately report any suspected or alleged sexual abuse or sexual harassment that occurred in a facility whether or not it is part of the agency to the Shift Sergeant. The policy also states that staff are required to report to the Sheriff and/or Jail Administrator any retaliation against inmates or staff who report an incident and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. Interviews with random staff confirmed that this information is taught to staff in the yearly IPREA training.

115.61(b) Policy K-180 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 this information is included in the yearly IPREA training.

115.61(c) Interviews with Medical and Mental Health practitioners within the facility confirmed they 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 and mental health practitioners revealed they knew the practice and also received the information in their IPREA training.

115.61(d) If the alleged victim is under the age of 18, the Jefferson County Sheriff’s Office reports the allegation of sexual abuse to the Idaho Department of Health and Social Services. If the alleged victim is a “vulnerable adult”, the report will be made to Idaho Adult Protection Services. Interviews with random staff confirmed they were aware of this reporting requirement.

115.61(e) The Jefferson County Jail Policy K-180 states that all reports of allegations of sexual abuse and sexual harassment, including third-party and anonymous reports are referred to the facility’s designated investigators.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
IPREA training curriculum
Interviews with random staff, medical practitioners, and mental health practitioners
Interview with Capt. Nora Ortega, Jail Administrator

Standard 115.62 Agency protection duties

- Exceeds Standard (substantially exceeds requirement of standard)

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

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

115.62(a) The Jefferson County Jail 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 immediately removed from the housing unit and reassigned to other appropriate housing that ensures the inmate’s safety or the perpetrator is immediately reassigned to another housing unit, depending on the circumstances of the situation.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
 Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
 Interviews with random staff
 Interview with Sheriff Steve Anderson
 Interview with Capt. Nora Ortega, Jail Administrator

Standard 115.63 Reporting to other confinement facilities

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

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

115.63(a) The Jefferson County Jail Policy K-180 requires administration to report any sexual 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. The Jefferson County Jail reports that no reports of this type was received in the twelve months prior to the audit.

115.63(b) Policy requires this notice to occur as soon as possible but, in no case, will the report be made later than 72 hours after the allegation has been received.

115.63(c) The notification from the Jefferson County Jail to the other agency is documented.

115.53(d) Jefferson County Jail practice is that allegations received from another facility of an inmate being sexually abused or sexually harassed in the Jefferson County Jail are investigated in accordance with the IPREA standards. However, this is in practice but is not in the policy. Therefore, the auditor finds that the Jefferson County Jail does not meet this part of the standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180

Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Interview with Sheriff Steve Anderson
Interview with Capt. Nora Ortega, Jail Administrator

CORRECTIVE ACTION REQUIRED:

1. The Jefferson County Jail should put into its policy that when the Jail receives an allegation from another facility of an inmate being sexually abused or sexually harassed in the Jefferson County Jail, the allegation will be investigated in accordance with the IPREA standards.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

The auditor returned to the Jefferson County Jail on June 20, 2017 and was provided supplemental documentation and explanation to evidence and demonstrate corrective actions taken by Jefferson County regarding this standard.

Additional Documents Reviewed:

1. Jefferson County Jail Policy 115.63

Jefferson County Jail Policy 115.63 clearly states that an allegation from another facility of an inmate being sexually abused or sexually harassed in the Jefferson County Jail will be investigated in accordance with the IPREA standards established in 115.22 of their IPREA policy.

The Jefferson County Jail is now fully compliant with this standard.

Standard 115.64 Staff first responder duties

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

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

115.64(a) The Jefferson County Jail Policy K-180 outlines in policy and a detailed first responder checklist, 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:

- (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 Jefferson County Jail reported that in the past twelve months, there were 2 allegations that an inmate was sexually abused or sexually harassed while in the facility. At the time of the audit there were no victims available in the facility for interview by the auditor.

115.64(b) The Jefferson County Jail Policy K-180 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 IPREA training.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Interviews with random staff
Interviews with medical and mental health practitioners
Interview with Lt. Joshual Bush, IPREA Coordinator

Standard 115.65 Coordinated response

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

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

115.65(a) The Jefferson County Jail Policy K-180 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 form of a flowchart and outlines the responsibilities of first responders, shift supervisors, medical practitioners, mental health practitioners, advocacy services, victim advocate support, Detention Administrator, and administrative and criminal investigators. There are also several very detailed checklists for first responders, supervisors, and investigators that are used upon receiving a PREA allegation and ensures all steps in the plan are completed in a thorough and timely manner. The auditor finds that the detail of the coordinated response plan and the various checklists exceeds this standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Interviews with investigators and random staff
Interview with Capt. Nora Ortega, Jail Administrator

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

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

- Does Not Meet Standard (requires corrective action)

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

The Jefferson County Sheriff’s Office and Jefferson County Jail do not have any collective bargaining agreements in place and have not had any at any time. Jefferson 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 Jefferson County Sheriff’s Office and Jefferson County Jail.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Interview with Sheriff Steve Anderson

Standard 115.67 Agency protection against retaliation

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

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

115.67(a and d) Jefferson County Jail Policy K-180 prohibits retaliation against inmates or staff members who report sexual abuse or sexual harassment and require monitoring of the inmate or staff member for retaliation. The agency reported that the IPREA Coordinator is charged with monitoring retaliation. The Jefferson County Jail reported that there have been no incidents of retaliation against an inmate or a staff member for reporting a sexual abuse or sexual harassment. An interview with the IPREA Coordinator assigned to conduct the monitoring reflected that the monitoring occurs whenever a report of sexual abuse or sexual harassment is made. Policy states that the monitoring will continue for a minimum of 90 days. Therefore, the auditor finds that the Jefferson County Jail exceeds the standard as the policy is written to the higher PREA standard.

115.67(b) Jefferson County Jail policy requires the facility to 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. 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) Jefferson County Jail Policy K-180 requires that, following a report of sexual abuse, the agency shall act promptly to remedy any allegation of retaliation against any inmate or staff member who reports sexual abuse or sexual harassment.

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. During the past twelve months, there have been no incidents where a person has expressed fear of retaliation and needed monitoring.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush

Interview with Sheriff Steve Anderson
Interview with Capt. Nora Ortega, Jail Administrator
Interview with Lt. Joshua Bush, IPREA Coordinator

Standard 115.68 Post-allegation protective custody

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

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

115.68(a) The Jefferson County Jail Policy K-180 prohibits staff from placing inmates who allege to have suffered sexual abuse in involuntary segregated 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 segregation 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 segregated housing being used for this purpose.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Interviews with random staff
Interview with Capt. Nora Ortega, Jail Administrator
Interview with Lt. Joshua Bush, IPREA Coordinator

Standard 115.71 Criminal and administrative agency investigations

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

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

115.71(a) Jefferson County Jail Policy K-180 requires that investigators initiate an investigation immediately upon receiving an allegation of sexual abuse or sexual harassment. Administrative and criminal investigations are done by the Jefferson County detectives, and when staff are allegedly involved, the case is turned over to Tri-County Investigators. 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 Jefferson County Jail. A review of PREA Audit Report

training certificates and a training roster confirmed that both investigators have had the specialized training for investigators. This training was the NIC online training for investigators, “Investigating Sexual Abuse in a Confinement Setting”, available through the PREA Resource Center. 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 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. The one investigation of sexual abuse during the audit cycle had no criminal evidence to gather or preserve.

115.71(d) Unless the allegation is an immediately recognizable criminal investigation, investigations will be initiated as an administrative investigation. All administrative and criminal investigations are done by Jefferson County detectives. If there is any indication that the investigation appears to involve staff, Sheriff Anderson will assign the investigation to the Tri-County Investigations unit. The Jefferson County Detectives and Tri-County Investigators are aware of when compelled interviews are an obstacle to prosecution as they use them frequently in their regular job duties.

115.71(e) Jefferson County Jail Policy K-180 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. Interviews with investigators stated that credibility is based on evidence, interviews, and the crime scene. 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.

115.71(g and h) Jefferson County Jail Policy K-180 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 past twelve months, there have not been any substantiated criminal abuse investigations in the facility.

115.71(i) 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.

115.71(l) When Tri-County investigators are assigned to an investigation, the Jefferson County Sheriff’s Office and Jefferson County Jail will cooperate fully with the investigators and will stay informed as to the progress of the investigation. Interviews with Jefferson County investigators explained that there is a very good working relationship between Tri-County investigators and the agencies they assist.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Objectives for the NIC online course, “Investigating Sexual Abuse in a Confinement Setting”
Training documentation for investigators completing the specialized training
Interview with Jefferson County criminal investigator
Interview with Capt. Nora Ortega, Jail Administrator
Interview with Lt. Joshua Bush, IPREA Coordinator

Standard 115.72 Evidentiary standard for administrative investigations

Exceeds Standard (substantially exceeds requirement of standard)

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

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

115.72(a) Jefferson County Jail Policy K-180 requires the Jefferson 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.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
 Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
 Interviews with investigative staff
 Interview with Lt. Joshua Bush, IPREA Coordinator

Standard 115.73 Reporting to inmates

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

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

115.73(a) Jefferson County Jail Policy K-180 requires upon completion of any administrative or criminal investigation of sexual abuse or sexual harassment in the facility, the facility will inform the inmate as to whether the allegation was determined to be substantiated, unsubstantiated, or unfounded.

115.73(b) When Tri-County is brought in for an investigation, the inmate will be notified of the outcome when it is known. There were no investigations of alleged inmate sexual abuse in the facility by outside investigators during the twelve months prior to the audit.

115.73(c) Jefferson County Jail Policy K-180 is consistent with the standard for notification. There have been no allegations or investigation of a staff member being involved in sexual abuse misconduct.

115.73(d) Jefferson County Jail Policy K-180 requires that all notifications to inmates described under this standard are documented. The Jefferson County Jail 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) The Jefferson County Jail’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:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Interview with Capt. Nora Ortega, Jail Administrator
Interview with Lt. Joshua Bush, IPREA Coordinator

Standard 115.76 Disciplinary sanctions for staff

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

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

115.76(a - c) Jefferson County Jail Policy K-180 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.

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 Jefferson County Jail reports that in the past twelve months, there has been no staff member from the facility that 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 that 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.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Interview with Capt. Nora Ortega, Jail Administrator
Interview with Lt. Joshua Bush, IPREA Coordinator

Standard 115.77 Corrective action for contractors and volunteers

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance

determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.77(a) The Jefferson County Jail Policy K-180 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 Jefferson 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 Jefferson County Jail 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.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Interview with Capt. Nora Ortega, Jail Administrator

Standard 115.78 Disciplinary sanctions for inmates

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

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

115.78(a) The Jefferson County Jail 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) 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 Jefferson County Jail reported that during the past twelve months, one allegation of inmate-on-inmate sexual abuse was substantiated and one allegation of sexual harassment was unfounded. No disciplinary process was done on either of the incidents.

115.78(c) Jefferson County Jail Policy K-180 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 facility does not provide therapy, counseling, or other interventions for inmate abusers.

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

115.78(f) Inmates of the Jefferson County Jail will not be disciplined for filing a false report of sexual abuse when the inmate believed the PREA Audit Report

incident actually happened and filed the report in good faith.

115.79(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.

Interviews with random staff verified the inmate discipline policy.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Inmate Handbook
Interviews with random staff
Interview with Capt. Nora Ortega, Jail Administrator
Interview with Lt. Joshua Bush, IPREA Coordinator

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

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

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

115.81(a and c) When an inmate discloses sexual abuse either at an institutional facility or in a community setting, Jefferson County Jail Policy K-180 requires the staff member receiving the information report this to the Medical Provider to ensure a follow-up meeting is done within 14 days with a medical practitioner and a mental health practitioner. The auditor interviewed an inmate who had been the victim of a sexual assault in the community prior to arrest and the inmate verified that follow-up counseling was offered shortly at booking by a mental health practitioner in the facility but the inmate refused.

115.81(d) Information related to sexual victimization that occurred in an institutional setting is not strictly limited to medical and mental health practitioners. After booking, the information shared with classification staff is strictly limited to informing security and management decisions, including treatment plans, housing, work, bed, education, and program assignments.

115.81(e) Interviews with Medical and Mental Health practitioners verified that informed consent disclosures, when needed, are provided by on-site by medical providers.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Intake Risk Assessment Form
Interviews with Medical and Mental Health practitioners
Interview with Capt. Nora Ortega, Jail Administrator
Interview with Lt. Joshua Bush, IPREA Coordinator

Standard 115.82 Access to emergency medical and mental health services

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

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

115.82(a) Interviews with Medical and Mental Health practitioners confirmed that inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services. The Jefferson County Jail 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 or mental health 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 medical and mental health practitioners. When necessary, all victims are transported to Eastern Idaho Regional Medical Center 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 Medical practitioners 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 Jefferson County Jail 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.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
MOU Between the Family Crisis Center and the Jefferson County Sheriff's Office and Jefferson County Jail
Interviews with Medical and Mental Health practitioners
Interview with Capt. Nora Ortega, Jail Administrator
Interview with Lt. Joshua Bush, IPREA Coordinator

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

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

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

115.83(a - c) Jefferson County Jail Policy K-180 requires health evaluations and, as appropriate, treatment to all inmates who have been

sexually abused in any correctional institution. Interviews with Medical and Mental Health 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 Jefferson County Jail 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 -e) Interviews with Medical Practitioners 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(f) In all circumstances of sexual abuse within the facility, treatment and advocates are provided to the victim inmate free of charge.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Interviews with Medical and Mental Health practitioners
Interview with Capt. Nora Ortega, Jail Administrator
Interview with Lt. Joshua Bush, IPREA Coordinator

Standard 115.86 Sexual abuse incident reviews

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

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

115.86(a) Jefferson County Jail Policy K-180 requires that a review team comprised of the IPREA Coordinator, Command, and Administrative staff will review each incident of sexual abuse or sexual harassment that was investigated in the facility, unless the incident is unfounded. Also, included in the team may be medical and mental health staff or investigators, if needed.

115.86(b - e) The review occurs within 30 days of the incident. Recommended improvements are implemented when made. The Jefferson County Jail reports that there has been one incident review done at the time of the audit.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Detention Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Interviews with investigative staff
Interview with Capt. Nora Ortega, Jail Administrator
Interview with Lt. Joshua Bush, IPREA Coordinator

Standard 115.87 Data collection

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

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

115.87(a) Jefferson County Jail Policy K-180 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 data collected will include, at a minimum, the data necessary to answer all of the questions from the most recent version of the Survey of Sexual Violence.

The standard is written into policy but there is no standardized instrument to collect the data. Therefore, the auditor finds that the Jefferson County Jail does not meet this part of the standard

115.87(b) Policy directs the IPREA Coordinator to aggregate the data annually and prepare a report. This part of the standard is in the policy but the data hasn’t been aggregated and no report has been written. Therefore the auditor finds that the Jefferson County Jail does not meet this part of the standard

115.87(d) The Jefferson County Jail policy requires the collection of the data in accordance with this standard but as stated before is not being done. Therefore, the auditor finds that the Jefferson County Jail does not meet this standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Jefferson County Jail Policy K-180
- Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
- Interview with Capt. Nora Ortega, Jail Administrator
- Interview with Lt. Joshua Bush, IPREA Coordinator

CORRECTIVE ACTION REQUIRED:

1. The Jefferson County Jails should create a standardized instrument to collect accurate, uniform data for every allegation of sexual abuse at the facility.
2. The Jefferson County Jail should aggregate the data on this form for the last twelve months.
3. The Jefferson County Jail should write an annual report from the aggregated data.

VERIFICATION OF CORRECTIVE ACTION TAKEN SINCE THE AUDIT:

The auditor returned to the Jefferson County Jail on June 20, 2017 and was provided supplemental documentation and explanation to evidence and demonstrate corrective actions taken by Jefferson County regarding this standard.

Additional Documents Reviewed:

1. Standardized instrument to collect data
2. Data aggregated on the standardized form for the year 2016
3. 2016 Annual Report

Lt. Joshua Bush provided to the auditor the form that the Jefferson County Jail will be using each year to collect accurate, uniform data for every allegation of sexual abuse in the facility. The form is the current Survey of Sexual Victimization form that is published by the U.S. Department of Justice.

Lt. Bush filled out the aggregated data for the year 2016 on the survey form and presented it to the auditor to review. The Jefferson County Jail has written the annual IPREA report for the year 2016 and it has been approved by Sheriff Steve Anderson. The

report will be made available to the public upon request.

The Jefferson County Jail is now fully compliant with this standard.

Standard 115.88 Data review for corrective action

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

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

This standard has been deleted for IPREA

Standard 115.89 Data storage, publication, and destruction

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

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

115.89(a - b) Jefferson County Jail Policy K-180 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.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Jefferson County Jail Policy K-180
Completed Pre-Audit Questionnaire submitted by Lt. Joshua Bush
Interview with Sheriff Steve Anderson
Interview with Capt. Nora Ortega, Jail Administrator
Interview with Sgt. Lt. Joshua Bush, IPREA Coordinator

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.

Cynthia Malm

6/26/17

Auditor Signature

Date