

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

Interim Final

Date of Report December 3, 2019

Auditor Information

Name: Cynthia Malm	Email: cmalm@idahosheriffs.org
Company Name: Idaho Sheriff's Association	
Mailing Address: 3100 Vista Ave., Ste. 203	City, State, Zip: Boise, Idaho 83705
Telephone: 208-346-1065	Date of Facility Visit: November 4 – 6, 2019

Agency Information

Name of Agency: Bannock County Sheriff's Office		Governing Authority or Parent Agency (If Applicable): Bannock County	
Physical Address: 5800 South 5th Ave.		City, State, Zip: Pocatello, Idaho 83206	
Mailing Address: P.O. Box 4666		City, State, Zip: Pocatello, Idaho 83205	
The Agency Is:	<input type="checkbox"/> Military	<input type="checkbox"/> Private for Profit	<input type="checkbox"/> Private not for Profit
<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> County	<input type="checkbox"/> State	<input type="checkbox"/> Federal
Agency Website with PREA Information: www.bannockcounty.us/sheriff			

Agency Chief Executive Officer

Name: Sheriff Lorin Nielsen	
Email: sheriff@bannockcounty.us	Telephone: 208-236-7116

Agency-Wide PREA Coordinator

Name: Capt. Tad Bybee	
Email: tadb@bannockcounty.us	Telephone: 208-236-7130
PREA Coordinator Reports to: Chief Deputy	Number of Compliance Managers who report to the PREA Coordinator 0

Facility Information

Name of Facility: Bannock County Detention Center

Physical Address: 5800 South 5th Ave

City, State, Zip: Pocatello, Idaho 83205

Mailing Address (if different from above):

P.O. Box 4666

City, State, Zip: Pocatello, Idaho 83205

The Facility Is:

Military

Private for Profit

Private not for Profit

Municipal

County

State

Federal

Facility Type:

Prison

Jail

Facility Website with PREA Information: www.bannockcounty.us/sheriff

Has the facility been accredited within the past 3 years? Yes No

If the facility has been accredited within the past 3 years, select the accrediting organization(s) – select all that apply (N/A if the facility has not been accredited within the past 3 years):

ACA

NCCHC

CALEA

Other (please name or describe: [Click or tap here to enter text.](#))

N/A

If the facility has completed any internal or external audits other than those that resulted in accreditation, please describe:
Yearly Idaho Jail Standards Inspection

Warden/Jail Administrator/Sheriff/Director

Name: Capt. Tad Bybee

Email: tadb@bannockcountry.us

Telephone: 2018-236-7130

Facility PREA Compliance Manager

Name: N/A

Email: [Click or tap here to enter text.](#)

Telephone: [Click or tap here to enter text.](#)

Facility Health Service Administrator N/A

Name: Sherry Stoutin

Email: sstoutin@gmail.com

Telephone: 208-236-7139

Facility Characteristics

Designated Facility Capacity:	294	
Current Population of Facility:	266	
Average daily population for the past 12 months:	263	
Has the facility been over capacity at any point in the past 12 months?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Which population(s) does the facility hold?	<input type="checkbox"/> Females <input type="checkbox"/> Males <input checked="" type="checkbox"/> Both Females and Males	
Age range of population:	18 - 92	
Average length of stay or time under supervision:	32.51 days	
Facility security levels/inmate custody levels:	Minimum, Medium, Maximum	
Number of inmates admitted to facility during the past 12 months:	3922	
Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for <i>72 hours or more</i> :	1754	
Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for <i>30 days or more</i> :	818	
Does the facility hold youthful inmates?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Number of youthful inmates held in the facility during the past 12 months: (N/A if the facility never holds youthful inmates)	Click or tap here to enter text. <input checked="" type="checkbox"/> N/A	
Does the audited facility hold inmates for one or more other agencies (e.g. a State correctional agency, U.S. Marshals Service, Bureau of Prisons, U.S. Immigration and Customs Enforcement)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<p>Select all other agencies for which the audited facility holds inmates: Select all that apply (N/A if the audited facility does not hold inmates for any other agency or agencies):</p>	<input type="checkbox"/> Federal Bureau of Prisons <input checked="" type="checkbox"/> U.S. Marshals Service <input type="checkbox"/> U.S. Immigration and Customs Enforcement <input type="checkbox"/> Bureau of Indian Affairs <input type="checkbox"/> U.S. Military branch <input checked="" type="checkbox"/> State or Territorial correctional agency <input type="checkbox"/> County correctional or detention agency <input type="checkbox"/> Judicial district correctional or detention facility <input type="checkbox"/> City or municipal correctional or detention facility (e.g. police lockup or city jail) <input type="checkbox"/> Private corrections or detention provider <input type="checkbox"/> Other - please name or describe: Click or tap here to enter text. <input type="checkbox"/> N/A	
Number of staff currently employed by the facility who may have contact with inmates:	63	

Number of staff hired by the facility during the past 12 months who may have contact with inmates:	11
Number of contracts in the past 12 months for services with contractors who may have contact with inmates:	6
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	22
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	57
Physical Plant	
<p>Number of buildings:</p> <p>Auditors should count all buildings that are part of the facility, whether inmates are formally allowed to enter them or not. In situations where temporary structures have been erected (e.g., tents) the auditor should use their discretion to determine whether to include the structure in the overall count of buildings. As a general rule, if a temporary structure is regularly or routinely used to hold or house inmates, or if the temporary structure is used to house or support operational functions for more than a short period of time (e.g., an emergency situation), it should be included in the overall count of buildings.</p>	1
<p>Number of inmate housing units:</p> <p>Enter 0 if the facility does not have discrete housing units. DOJ PREA Working Group FAQ on the definition of a housing unit: How is a "housing unit" defined for the purposes of the PREA Standards? The question has been raised in particular as it relates to facilities that have adjacent or interconnected units. The most common concept of a housing unit is architectural. The generally agreed-upon definition is a space that is enclosed by physical barriers accessed through one or more doors of various types, including commercial-grade swing doors, steel sliding doors, interlocking sally port doors, etc. In addition to the primary entrance and exit, additional doors are often included to meet life safety codes. The unit contains sleeping space, sanitary facilities (including toilets, lavatories, and showers), and a dayroom or leisure space in differing configurations. Many facilities are designed with modules or pods clustered around a control room. This multiple-pod design provides the facility with certain staff efficiencies and economies of scale. At the same time, the design affords the flexibility to separately house inmates of differing security levels, or who are grouped by some other operational or service scheme. Generally, the control room is enclosed by security glass, and in some cases, this allows inmates to see into neighboring pods. However, observation from one unit to another is usually limited by angled site lines. In some cases, the facility has prevented this entirely by installing one-way glass. Both the architectural design and functional use of these multiple pods indicate that they are managed as distinct housing units.</p>	9
Number of single cell housing units:	64 single cells within the units
Number of multiple occupancy cell housing units:	70 multiple occupancy cells within the units
Number of open bay/dorm housing units:	3
Number of segregation cells (for example, administrative, disciplinary, protective custody, etc.):	50 cells within the units
In housing units, does the facility maintain sight and sound separation between youthful inmates and adult inmates? (N/A if the facility never holds youthful inmates)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Does the facility have a video monitoring system, electronic surveillance system, or other monitoring technology (e.g. cameras, etc.)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Has the facility installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology in the past 12 months?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Medical and Mental Health Services and Forensic Medical Exams		
Are medical services provided on-site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Are mental health services provided on-site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Where are sexual assault forensic medical exams provided? Select all that apply.	<input type="checkbox"/> On-site <input checked="" type="checkbox"/> Local hospital/clinic <input type="checkbox"/> Rape Crisis Center <input type="checkbox"/> Other (please name or describe: Click or tap here to enter text.)	
Investigations		
Criminal Investigations		
Number of investigators employed by the agency and/or facility who are responsible for conducting CRIMINAL investigations into allegations of sexual abuse or sexual harassment:	5	
When the facility received allegations of sexual abuse or sexual harassment (whether staff-on-inmate or inmate-on-inmate), CRIMINAL INVESTIGATIONS are conducted by: Select all that apply.	<input checked="" type="checkbox"/> Facility investigators <input checked="" type="checkbox"/> Agency investigators <input checked="" type="checkbox"/> An external investigative entity	
Select all external entities responsible for CRIMINAL INVESTIGATIONS: Select all that apply (N/A if no external entities are responsible for criminal investigations)	<input type="checkbox"/> Local police department <input type="checkbox"/> Local sheriff's department <input type="checkbox"/> State police <input type="checkbox"/> A U.S. Department of Justice component <input checked="" type="checkbox"/> Other (please name or describe: .Tri-County Investigators if staff involved) <input type="checkbox"/> N/A	
Administrative Investigations		
Number of investigators employed by the agency and/or facility who are responsible for conducting ADMINISTRATIVE investigations into allegations of sexual abuse or sexual harassment?	9	
When the facility receives allegations of sexual abuse or sexual harassment (whether staff-on-inmate or inmate-on-inmate), ADMINISTRATIVE INVESTIGATIONS are conducted by: Select all that apply	<input checked="" type="checkbox"/> Facility investigators <input type="checkbox"/> Agency investigators <input type="checkbox"/> An external investigative entity	
Select all external entities responsible for ADMINISTRATIVE INVESTIGATIONS: Select all that apply (N/A if no external entities are responsible for administrative investigations)	<input type="checkbox"/> Local police department <input type="checkbox"/> Local sheriff's department <input type="checkbox"/> State police <input type="checkbox"/> A U.S. Department of Justice component <input type="checkbox"/> Other (please name or describe: Click or tap here to enter text.)	

	<input checked="" type="checkbox"/> N/A
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Audit Findings

Audit Narrative

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

The Prison Rape Elimination Act (PREA) on-site audit of the Bannock County Detention Center in Pocatello, Idaho was conducted on November 4 - 6, 2019 by Cynthia Malm from Boise, 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 in two large folders and on a flash drive along with the data included in the completed Pre-Audit Questionnaire. The auditor reviewed documentation that included agency policies and procedures, detention policies and procedures, forms, education materials, training curriculum, organizational charts, mission statements, checklists, posters, inmate handbooks, flyers, investigation reports, website information, and other PREA related materials that were provided to demonstrate compliance with the PREA standards. This review prompted a series of questions that were noted on the auditor's compliance tool and the auditor posed the questions to the Jail Administrator/PREA Coordinator at the on-site audit.

Prior to the onsite audit, the facility sent the auditor verification that the notices of the audit were posted on September 16, 2019. The auditor did not receive any communication from any inmate between the posting of the notice and the onsite audit.

An entrance meeting was held with Capt. Tad Bybee, the Jail Administrator/PREA Coordinator, of the Bannock County Sheriff's Office. Capt. Bybee 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 (34 hours) of the on-site audit, the auditor was provided a private room within the Sheriff's Office from which to work and conduct confidential interviews of staff. A private room was also provided within the secure perimeter of the Detention Center to conduct interviews of inmates. Formal personal interviews were conducted with facility staff, specialty staff, inmates, and contract employees. The auditor interviewed a total of twenty-two inmates who were randomly selected from each of the ten housing units in the Detention Center by selecting the second and fourth names on the list and two extra inmates from the larger housing unit. One additional inmate was interviewed who speaks only Spanish. There are several deputies who speak Spanish in the facility and one of these deputies helped with translation in the interview. Also interviewed were two inmates who had reported being sexually abused in the community and one inmate who identified with being gay. There were no youthful, transgender, intersex, or disabled inmates in the facility to interview. There were no inmates in segregated housing who had been a victim of sexual abuse for the auditor to interview. Inmates were interviewed using the recommended DOJ protocols that question their knowledge of a variety of PREA protections, generally and specifically, their knowledge of reporting mechanisms available to inmates to report abuse or harassment. All of the inmates interviewed acknowledged that they had received training on PREA at booking and received a PREA pamphlet and inmate handbook that contained information on how to report a sexual assault or sexual harassment. All stated they watched a video at booking and it is shown a couple times a month in the housing units. The inmates also

stated that deputies come into the housing units two times a month and talk to them about PREA and how to report. The auditor reviewed ten forms inmates had signed at booking acknowledging that they had been given information on the zero-tolerance policy for sexual abuse and sexual harassment and how to report incidents. Many of the inmates interviewed stated that the deputies would not stand for sexual abuse and would address any allegations immediately.

The auditor interviewed twelve random staff members representing two shifts (1st shift 7:00 a.m. to 7:00 p.m. and 2nd shift 7:00 p.m. to 7:00 a.m.). In addition to the twelve random staff interviews were ten specialty staff interviews including the Mental Health Provider, a Medical Provider, an Administrative Investigator, a Criminal Investigator, two Intake and Risk Screening Booking/Classification Officers, a Sergeant, a Contract Employee, a Retaliation Monitor, and a member of the Incident Review Team. Also interviewed were the Sheriff and Jail Administrator/PREA Coordinator. Staff were interviewed using the DOJ protocols that question their PREA training and overall knowledge of the agency's zero tolerance policy, reporting mechanisms available to inmates and staff, the response protocols when an inmate alleges sexual abuse or sexual harassment, and first responder duties. There are no SAFE or SANE employees at the facility as they are made available at the Portneuf Medical Center in Pocatello, Idaho. All staff were very knowledgeable about PREA and their responsibilities in preventing, detecting, and reporting sexual abuse and sexual harassment. All confirmed that they have 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 ten 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 and some interviews, the auditor toured the facility from 9:30 a.m. – 11:10 p.m. and was escorted by Capt. Tad Bybee, Jail Administrator/PREA 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 inmates to shower separately and shower stalls have shower curtains or metal barriers for privacy. Toilet areas have either metal or cement barriers that limit viewing and some of the cells are wet cells that have toilets inside the cell that can't be seen from the cell door. The auditor reviewed the camera views on a monitor in the Supervisor's Office and verified that toilets and showers were not monitored by the cameras. Notices of the PREA audit were posted throughout the facility in the dayrooms and the date on the notices was September 16, 2019. 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. Inmates were able to tell the auditor how to report a sexual abuse or sexual harassment and verified that they receive a lot of information on PREA. They also verified that the notice of the audit had been on the wall for a "long time" but none could tell me exactly what date it was posted. 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. No blind spots were noticed in the facility.

On the third day of the onsite audit, the auditor reviewed questions noted on the auditor's compliance tool and reviewed additional documentation to verify compliance with the standards.

At the conclusion of the on-site audit, an exit meeting was held between the auditor and Capt. Bybee to discuss the audit findings and the auditor determined that the Bannock County Detention Center was fully compliant with all of the PREA standards.

Facility Characteristics

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

The Bannock County Sheriff's Office operates the Bannock County Detention Center which is a direct/indirect detention facility with a rated capacity of 294 beds. Two housing units are direct supervision housing units and seven are podular indirect housing units. The count on the day of the audit was 266. Female inmates are housed in three of the indirect housing units, special management inmates in one indirect housing unit, medium custody in one indirect housing unit, maximum in one indirect housing unit and no juveniles are held in the facility. The two direct supervision housing units house minimum custody male inmates and work release male inmates.

The Bannock County Detention Center consists of one building and is located at 5800 South 5th, Pocatello, Idaho. The Detention Center houses male and female adult inmates. New arrests are brought into the Detention Center via a secure sally port. The arrestee is pat searched in a small intake area and then brought into the booking room for processing. Just outside the booking room to the north is a Central Control Room which is the primary communication center in the facility. There is a hallway that winds around Central Control and leads to the housing units and support services such as the medical exam room and infirmary, laundry room, kitchen, and staff dining room. On the north side of the hallway is a direct supervision housing unit (D-Pod) that houses 82 inmates with sleeping areas that are double bunked dry cells, a large dayroom, and an officer's station. On the south side of the hallway is a large housing area (C-Pod) that contains five indirect supervision housing units with double bunk and individual cells and holds a total of 128 inmates. There is an officer's station in the center of C-Pod that can see into all five housing units. Further down the hall, on the south side is E-Large which is an indirect supervision dorm and has 20 beds and a dayroom. Also, on the south side of the hallway is E-Small which is an indirect supervision dorm that has 8 beds and a dayroom. The last housing unit, which is also south of the main hallway, (E-Pod) is a direct supervision dorm that has two sleeping areas within the dorm with a total of 54 beds, a common dayroom, and an officer's station.

The building is monitored and operated by a Central Control Room that employs touch screen monitoring and security systems to monitor movement and operate outer doors to the housing areas, cameras, and intercoms throughout the facility. External cameras are strategically placed and monitor all entrances in to the building and the recreation areas. Internal cameras monitor the main hallway, internal entrances, kitchen and laundry area, dayrooms, and other areas within the secure perimeter. The Control Room is staffed at all times by one staff member and is the main contact for all safety, fire, and emergency contacts. There is a small control area within each direct supervision housing unit and a control desk in C-Pod. The smaller control areas operate doors and intercoms to the individual cells or housing units within their individual areas. New monitors have been placed throughout the facility for monitoring camera views and any computer in the Sheriff's Office or Detention Facility that has a startup icon can monitor the camera views.

The Bannock County Sheriff's Office is attached to the jail outside the secure perimeter and inmates are not allowed access to the Sheriff's Offices without supervision. Jail administrative offices are outside the secure perimeter of the jail in the Sheriff's Office. However, there is a double sally port access door immediately by the offices to allow for fast response to the jail. The Jail Administrator and two Lieutenants occupy these offices.

Summary of Audit Findings

The summary should include the number and list of standards exceeded, number of standards met, and number and list of standards not met.

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

Standards Exceeded

Number of Standards Exceeded: 7

List of Standards Exceeded: 115.22, 115.31, 115.33, 115.41, 115.64, 115.65, 115.81

Standards Met

Number of Standards Met: 38

Standards Not Met

Number of Standards Not Met: 0

List of Standards Not Met: 0

PREVENTION PLANNING

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

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

115.11 (a)

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

115.11 (b)

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

115.11 (c)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.11(a) The Bannock County Detention Center has implemented a zero-tolerance policy as detailed in Policy 10.1 which comprehensively outlines the agency's approach to preventing, detecting, and responding to all forms of sexual abuse and sexual harassment. The policy contains necessary definitions, sanctions, and descriptions of the agency strategies and responses to sexual abuse and harassment. This policy forms the foundation for the program's training efforts with inmates, staff, volunteers, contractors, and others. All interviews reflected that staff and inmates are aware of this zero-tolerance policy.

115.11(b) The facility has designated an upper-level, agency-wide PREA Coordinator, Capt. Tad Bybee, to oversee policy and procedure development and operations in reference to sexual abuse and sexual harassment. Policy 10.1 details the duties and responsibilities of the PREA Coordinator. The PREA Coordinator is also the Jail Administrator and reports directly to the Bannock County Sheriff's Office Chief Deputy, Jim Dalley, who, in turn, reports directly to the Bannock County Sheriff, Lorin Nielsen. Capt. Bybee indicated that he has sufficient time and authority to develop, implement, and oversee the agency's efforts toward PREA compliance and Sheriff Nielsen confirmed that Capt. Bybee and his staff have full support of the Sheriff's Office in all of their efforts to bring the Detention Center into compliance with the PREA standards. Capt. Bybee also has an assistant who helps with some of the PREA responsibilities

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

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Bannock County Detention Policy 10.1
- Bannock County Detention Center's Organizational Chart
- Interview with Sheriff Lorin Nielsen
- Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator
- Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee

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

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

115.12 (a)

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

115.12 (b)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

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

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Interview with Sheriff Lorin Nielsen
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

Standard 115.13: Supervision and monitoring

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

115.13 (a)

- Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse? Yes
- In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?
 Yes No
- In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy? Yes No
- In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies? Yes No
- In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies? Yes No
- In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)? Yes No
- In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population? Yes No
- In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff? Yes No
- In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift? Yes No NA

- In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any applicable State or local laws, regulations, or standards? Yes No
- In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse? Yes No
- In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors? Yes No

115.13 (b)

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

115.13 (c)

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

115.13 (d)

- Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment? Yes No
- Is this policy and practice implemented for night shifts as well as day shifts? Yes No
- Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility? Yes No

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.13(a) The Bannock County Detention Center ensures that the facility develops, documents, and makes its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse. The average number of inmates incarcerated in the Bannock County Detention Center during the twelve months prior to the audit was 263 and the staffing plan was predicated on the rated capacity of 294 inmates. The staffing plan requires a minimum of eight detention staff, one supervisor on each shift, one contract medical staff on each shift, and one food service contract staff during the day. The facility strives to have nine detention staff on each shift but cannot go below eight. The eight staff includes classification/booking deputies and security deputies who work directly with the inmates in booking and housing units.

In calculating adequate staffing levels and determining the need for video monitoring, the facility takes into consideration the eleven mandatory elements and considerations required by this PREA Standard:

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

During the audit tour and looking at camera views on the monitor, the auditor did not notice any blind spots. There are no cameras in the cells but doors to the cells within the housing units must be kept closed while inmates are out in the dayroom areas and the inmate must ask the deputy to open the door if the inmate wants to enter his or her cell. The deputy pops open the door and watches who enters the cell. It is a disciplinary action for inmates to enter a cell other than the one assigned to that inmate.

115.13(b) Policy 1.11 requires staff bid for shifts as coverage if someone takes off that shift to prevent deviations from the staffing plan. The policy states, “In the event an officer calls in sick for their shift the Shift Supervisor will refer to the “on-call list” for that date starting with the primary on-call officer followed by the secondary officer. In the event both the primary and secondary on-call officers are excused, the Shift Supervisor will call those officers on days off until coverage is found.”

115.13(c) The staffing plan is reviewed once a year to determine if it is still adequate to meet the needs of the Bannock County Detention Center and protect inmates from sexual abuse. The last review was completed December 5, 2018 by Capt. Tad Bybee. During the staffing review, Capt. Bybee 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. The review disclosed the agency has just hired a part time PREA Officer. The staffing plan shows 63 people are assigned to the Detention Center and that includes nine classification/booking deputies and fifty-four security deputies. The Detention Center was just approved for four more positions making the total assigned to the Detention Center 67. After the review, the facility upgraded the camera system and added new cameras

115.13(d) The Bannock County Detention Center has detailed in Policy 10.1 the practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment. Policy states “Supervisory staff, Corporals through the Captain, will conduct and document unannounced rounds at least once a week on both dayshift and nightshift to identify and deter staff sexual abuse and sexual harassment. No staff shall alert other staff members that these supervisory rounds are occurring.” A review of the documentation of unannounced supervisor rounds confirmed that the rounds are done randomly as required by the policy. 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. During these rounds, supervisors conduct PREA education with the inmates.

Interviews with staff also confirmed that the rounds are unannounced and staff are prohibited from alerting other staff that the rounds are taking place.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Bannock County Detention Center Policy 10.1 and 1.11
- Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
- Idaho Jail Standards
- Bannock County Detention Center Staffing Plan
- December 2018 Review of the Staffing Plan
- Documentation evidencing the conduct of unannounced supervisor rounds on every shift
- Informal interviews with staff during the audit tour
- Formal interviews with random staff and intermediate or higher-level staff
- Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator
- Bannock County Detention Center population report for 2018 and 2019

Standard 115.14: Youthful inmates

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

115.14 (a)

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

115.14 (b)

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

115.14 (c)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.14(a) The Bannock County Detention Center has detailed in Policies 5.2 and 6.1 how a youthful inmate would be housed in the facility. In past years, youthful inmates being charged as adults, or who had been convicted as adults, were occasionally placed in the Detention Center but now are normally housed in a juvenile facility. During the 12 months prior to the audit, the Bannock County Detention Center reported that it has not housed any youthful inmates. The Detention Center has kept the policies in place for the rare occasion that they may be required to house a youthful inmate. If a youthful inmate is placed in the Bannock County Detention Center, the Detention Center will not place the inmate in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate through use of a shared dayroom or other common space, shower area, or sleeping quarters.

115.14(b) Referring to Policies 5.2 and 6.1, the Bannock County Detention Center will either maintain sight and sound separation between youthful inmates and adult inmates in areas outside of housing units or will provide direct supervision when youthful inmates and adult inmates have sight, sound, or physical contact.

115.14(c) The Bannock County Detention Center has detailed in Policy 5.2 and 6.1 that the Detention Center will make its best efforts to avoid placing a youthful inmate in restrictive housing to comply with this standard. Absent exigent circumstances, the facility does not deny youthful inmates daily large-muscle exercise and any legally required special education services while in the facility. The policy also states that youthful inmates are given access to other programs and work opportunities to the extent possible.

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

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Policy 5.2 and 6.1
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator
Interviews with random staff
Bannock County Detention Center Population Report for 2018 and 2019

Standard 115.15: Limits to cross-gender viewing and searches

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

115.15 (a)

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

115.15 (b)

- Does the facility always refrain from conducting cross-gender pat-down searches of female inmates, except in exigent circumstances? (N/A if the facility does not have female inmates.)
 Yes No NA
- Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A if the facility does not have female inmates.) Yes No NA

115.15 (c)

- Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches? Yes No
- Does the facility document all cross-gender pat-down searches of female inmates? (N/A if the facility does not have female inmates.) Yes No NA

115.15 (d)

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

115.15 (e)

- Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status? Yes No

- If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner? Yes No

115.15 (f)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.15(a) The Bannock County Detention Center's Policies 1.6 and 2.2 detail that cross gender strip searches are prohibited unless exigent circumstances exist or when performed by medical practitioners and the policy lists some examples of exigent circumstances. Only medical practitioners can perform intrusive or invasive body cavity searches under all circumstances. There weren't any cross-gender strip searches done in the 12 months prior to the audit for the auditor to review.

115.15(b) The Bannock County Detention Center's policies 1.6 and 2.2 state that male staff are prohibited from conducting pat down searches of female inmates except in exigent circumstances. This policy is also listed in the yearly training curriculum. In the past 12 months, no cross-gender pat down searches of females have been done. Interviews with random staff and 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 Bannock County Detention Center requires that all cross-gender strip searches of male and female inmates and all cross-gender pat down searches of female inmates must be documented and explain the exigent circumstances that required the search.

115.15(d) The Bannock County Detention Center policy and practice ensures that inmates are able to shower, perform bodily functions, and change clothing with privacy. Policy and practice require 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 announcing their presence entering the units. Interviews with inmates and staff confirm this is policy and actual practice of the policy on a consistent basis. In their interviews, many of the inmates stated the deputies make sure the inmates know when a deputy of the opposite gender of the inmates enters the housing unit because they loudly announce, "CLEAR" and most of the deputies wait for a response before entering the unit. The majority of inmates felt that all of the deputies were very respectful of their privacy

115.15(e) Bannock County Detention Center policy and practice prohibit searching or physically examining a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. Interviews with staff confirmed they knew the policy and no searches of this type have been done. The Bannock County Detention Center reported there were no searches of this typed during the previous twelve months.

115.15(f) The Bannock County Detention Center has provided training to 100% of the staff regarding how to conduct cross gender pat down searches and searches of transgender and intersex inmates in a professional manner. Training is done at the P.O.S.T. Basic Academy and training is done annually by the shift sergeants at shift briefings. Interviews with staff indicated that they all were aware of how to physically conduct the searches and the importance of being professional during the searches. They confirmed that they receive, at least yearly, training on conducting these searches. Policy requires that transgender and intersex inmates are allowed to designate their search preference and their requests are honored whenever possible.

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

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Center's Policies 1.6 and 2.2
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator
Interviews with random inmates and staff
Facility PREA training curriculum
P.O.S.T. PREA training curriculum
Training rosters of staff

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

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

115.16 (a)

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

- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills? Yes No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Are blind or have low vision? Yes No

115.16 (b)

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

115.16 (c)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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115.16(a) The Bannock County Detention Center Policy 6.4 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. Policy states, "Normally effective communication can be achieved by exchanging written notes (deaf or hearing impaired), verbally or with recordings or with written documents/notes with enlarged print (blind or vision impaired).".

The following qualified interpreters or interpretation services are available to help with the deaf:

1. Idaho Council for the Deaf and Hard of Hearing may be referenced and/or contacted for a list of qualified interpreters. Their website is: <https://cdhh.idaho.gov/interpreter-directory/>
2. Purple Video Relay Services has been installed in conjunction with the inmate communications system to provide interpretation services.
3. TTY and Relay Services:
4. TTY Services (also known as telecommunications device for deaf people or TDD) is a feature provided by the inmate communications system. The Detention Center also has its own TTY device in the event the inmate communications system malfunctions.

The facility has a mental health provider who can assist with those with mental illness and psychiatric disabilities.

A staff member will read the information on reporting and responding to sexual abuse or sexual harassment to inmates who have low vision or who are blind. Inmate handbooks can be given in large print editions.

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

115.16(b) The Bannock County Detention Center has established procedures to provide inmates with limited English proficiency equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Pamphlets explaining the inmate's right to be free from sexual abuse and sexual harassment are available in a Spanish version. Posters in both English and Spanish are hung on the wall of the housing unit and explain how to report a sexual abuse or sexual harassment. The informational video on PREA is in both English and Spanish. And, the inmate handbook is available in both English and Spanish. The agency also has an agreement with a language line that provides immediate translation services via the telephone. All detention staff have access to the language line and the instructions for its use are on the network servers. There is also a list of local interpreters on the network server and their contact numbers. There are also detention deputies who speak fluent Spanish and do a lot of interpretation as well as PREA training to the inmates who are limited English proficient. Interviews with staff confirmed they were all very familiar with using the language line and the network server.

There was one limited English proficient inmate in the facility at the time of the audit and the auditor interviewed the inmate with the help of a staff interpreter. The inmate was able to tell the auditor about the zero-tolerance policy for sexual abuse and sexual harassment and knew how to report an incident. The translator and inmate were able to easily understand each other.

115.16(c) Bannock County Detention Center Policy 2.6 prohibits the facility from using inmate interpreters, readers, or other inmate assistants except in limited circumstances where safety could be compromised waiting for other assistance. The Detention Center reports that there have been no instances in the past 12 months where inmate interpreters have been used. Interviews with random staff confirmed that inmate interpreters are not used unless there are exigent circumstances and no one could remember a time that inmate interpreters were used. The majority of the interviews confirmed

they would never use inmate interpreters, readers, or other inmate assistants because they had enough resources available, they can get immediate assistance.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Center Policy 2.6
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator
Interviews with random facility staff
Interview with a limited English proficient inmate
Samples of PREA posters and pamphlets translated into Spanish
Inmate handbook in Spanish
Agreement with language line
Written instructions for staff to access the language line
List of interpreters on the network server
Yearly PREA training curriculum for staff

Standard 115.17: Hiring and promotion decisions

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

115.17 (a)

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

- Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse? Yes No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the question immediately above? Yes No

115.17 (b)

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

115.17 (c)

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

115.17 (d)

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

115.17 (e)

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

115.17 (f)

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

- Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct? Yes No

115.17 (g)

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

115.17 (h)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.17(a) Bannock County Detention Center Policy 1.10 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 includes a criminal background check of all applicants for employment or contracting services, a hiring interview, and a polygraph. Applicants for promotion are asked the questions listed in the standard. 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 Bannock County Sheriff's Office considers any incidents of sexual harassment that is found in the background investigation in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates. Previous employers are contacted as references, personal references are contacted, and questions about sexual harassment are asked during the hiring process.

115.17(c) In addition to conducting criminal background checks prior to hiring an applicant, the Bannock 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, eleven people have been hired who have contact with inmates and all of them have had extensive background and criminal history checks completed prior to their hiring.

115.17(d) Bannock County Detention Center Policy 1.10 requires that a criminal background record check be completed before enlisting the services of any contractor who may have contact with inmates. In the past twelve months, the Bannock County Sheriff's Office has conducted criminal background record checks on two contract employees who have been hired and have contact with inmates. The auditor received verification that both contract employees have had the background investigation.

115.17(e) Bannock County Detention Policy 1.10 requires a criminal background records check on all employees at least every five years. Documentation provided confirmed that the Bannock County Detention Center completed background checks on all employees on April 30 – May 1, 2019. Background checks are now being done at the five-year anniversary of the employees hiring date. The date is placed into the Jail Management system which alerts the administration that the employee is due for the five-year background check.

115.17(f) The Bannock County Detention Center asks all applicants at the initial interview for hire about any prior sexual misconduct of the type specified in 115.17(a) of this section. Employees who are seeking promotion will also be asked for this information during the promotion board interview. And, during the yearly PREA training, staff are required to disclose any incidents of sexual misconduct listed in 115.17(a) of this section. Per policy, employees have a continuing affirmative duty to disclose any misconduct.

115.17(g) The Bannock County Detention Center Policy 1.10 states that material omissions regarding such misconduct or provision of materially false information shall be grounds for termination. The Bannock County Detention Center has not had any terminations during the twelve months prior to the audit for this reason.

115.17(h) Policy 1.10 requires the Bannock 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 Bannock County Sheriff's Office does require that the requesting agency provide a signed release of information from the applicant before giving the agency the requested information.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Center's Policy 1.10
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator
Idaho P.O.S.T. IDAPA Rules
Idaho Jail Standards
List of people hired who had background records checks

List of contract employees who had background records checks
List of all staff who had five-year background checks
List of questions asked during hiring and promotion interviews

Standard 115.18: Upgrades to facilities and technologies

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

115.18 (a)

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

115.18 (b)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

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

115.18(b) The Bannock County Detention Center has both internal and external video camera monitoring. Cameras are positioned on all external entrances and exits from the building. Cameras internally are located in hallways, dayrooms, cells, holding cells, support services areas, and internal entrances into the building. Camera views of the toilets and shower areas have been blacked out so there can be no viewing on monitors.

Programming Logic Controllers upgrades were done on August 18, 2018. PLC is a computer system that runs doors, intercoms. The facility added all new cameras and several monitoring stations through the computers. Staff can monitor cameras from any computer (web-based camera system) that has a startup icon.

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

RESPONSIVE PLANNING

Standard 115.21: Evidence protocol and forensic medical examinations

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

115.21 (a)

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

115.21 (b)

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

115.21 (c)

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

115.21 (d)

- Does the agency attempt to make available to the victim a victim advocate from a rape crisis center? Yes No

- If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency *always* makes a victim advocate from a rape crisis center available to victims.) Yes No NA
- Has the agency documented its efforts to secure services from rape crisis centers? Yes No

115.21 (e)

- As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews? Yes No
- As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals? Yes No

115.21 (f)

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

115.21 (g)

- Auditor is not required to audit this provision.

115.21 (h)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.21(a - b) The Bannock County Sheriff's Office and Detention Center follow the Idaho State Police uniform evidence collection protocol that contains details for obtaining physical evidence for administrative and criminal investigations of sexual abuse. This protocol is used by the Bannock County Detective Division and the Tri-County Investigators when conducting criminal investigations inside and outside the detention facility. The protocol is developmentally appropriate for youth but no youthful inmates are held in the facility.

115.21(c) Capt. Bybee explained that all victims of sexual abuse are offered access to forensic medical examinations where evidentiary or medically appropriate and the assault happened within the past 120 hours. There is no financial cost to the victim. The facility takes them to Portneuf Medical Center in Pocatello, Idaho for the exam. 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 Bannock County Detention Center has an MOU with Family Services Alliance of Southeast Idaho, located in Pocatello, Idaho to provide rape crisis services to victims of sexual assault. Family Services Alliance has a 24/7 crisis line that inmates can call free of charge. This information is given to each inmate on a PREA pamphlet upon intake. The MOU clearly defines the responsibilities of both Family Services Alliance and the Bannock County Detention Center in providing services to the inmates. The MOU states that Family Services Alliance will provide on-site crisis intervention to the Bannock County Sheriff's Office in the same manner as they provide other crisis intervention to local law enforcement when a victim discloses rape or sexual assault. A phone interview with Family Services Alliance confirmed this.

Policy 10.3 states," The Shift Supervisor will provide the inmate with access to outside victim advocates for emotional services related to the sexual abuse by:

- Providing the inmate with the mailing address and telephone number to our local rape crisis organization, Family Services Alliance. This information is provided to the inmate via the PREA Pamphlet that is given to the individual upon intake."

115.21(e) The Bannock County Detention Center Policy 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. Mental health counseling, when needed, will be provided by the Bannock County Mental Health Counselor who is trained in the trauma of sexual assault and has skills to assist the sexual assault survivor in healing from the trauma of the assault. Family Services Alliance also confirmed that they will provide mental health counseling if requested by the victim. 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.

115.22(f) The Bannock County Detention Center has a team of PREA investigators who work inside the Detention Center to conduct administrative investigations. If the administrative investigation appears to involve criminal elements, the team will refer the investigation to the Bannock County Detective Division. All investigations that allegedly involve staff are referred outside the agency to the Tri-County Investigations unit. Tri-County Investigator's is an organization of Sheriff's Offices in Southeast Idaho that assist each other by sending investigators to another Sheriff's Office when an outside investigation is needed. If an investigation is needed by the Tri-County Investigators, Sheriff Lorin Nielsen will authorize their participation in the investigation.

On July 17, 2015, Capt. Tad Bybee issued a letter to the Tri-County Sheriffs and Investigators requesting that any investigators investigating PREA sexual abuse incidents in the Bannock County Detention Center, adhere to the PREA standards and Capt. Bybee listed the PREA mandates for sexual abuse investigations. All people involved in the investigations have had the specialized training for investigators in a confinement center and all detectives have had training on sexual assault investigations. All PREA complaints are investigated for possible criminal activity and the Bannock County Sheriff's Office and the Tri-County Investigations unit maintain a close working relationship with the County Prosecutor. Once the criminal investigation is concluded by either the Detective Division or the Tri-County Investigation Unit, the case will be referred back to the Bannock County Detention Center for further administrative investigation, (excluding internal investigations of staff) and disciplinary sanctions, if warranted.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Bannock County Detention Policy 10.3
- Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
- Interview with Sheriff Lorin Nielsen
- Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator
- Interviews with Bannock County Sheriff's Office administrative and criminal investigators
- Interview with Family Services Alliance of Southeast Idaho
- MOU with Family Services Alliance of Southeast Idaho
- Pamphlets give to inmates on how to contact Family Services Alliance
- Idaho State Police Uniform Evidence Collection Protocol
- Investigation Checklist
- Training certificates for all PREA investigators within the agency
- Letter sent to Tri-County Investigators

Standard 115.22: Policies to ensure referrals of allegations for investigations

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

115.22 (a)

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

115.22 (b)

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

115.22 (c)

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

115.22 (d)

- Auditor is not required to audit this provision.

115.22 (e)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.22(a - b) The Bannock County Detention Center has a team of 9 investigators who work inside the Detention Center to conduct administrative investigations. The investigators have a detailed checklist for the investigation that covers all information from beginning to end of the investigation. If the administrative investigation appears to involve criminal elements, the Investigation Team Supervisor will notify the administration who will refer the investigation to the Bannock County Detective Division. There are 5 detectives in the Bannock County Detective Division who can investigate sexual abuse allegations in the facility. All investigations that allegedly involve staff are referred outside the agency to the Tri-County Investigations unit. Tri-County Investigator's is an organization of Sheriff's Offices in Southeast Idaho that assist each other by sending investigators to another Sheriff's Office when an outside investigation is needed. If an investigation is needed by the Tri-County Investigators, Sheriff Lorin Nielsen will authorize their participation in the investigation. All people involved in the investigations have had the specialized training for investigators in a confinement center and all detectives have had training on sexual assault investigations.

All PREA complaints are investigated for possible criminal activity and the Bannock County Sheriff's Office and the Tri-County Investigations unit maintain a close working relationship with the County Prosecutor. Once the criminal investigation is concluded by either the Detective Division or the Tri-County Investigation Unit, the case will be referred back to Sheriff Nielsen and the Bannock County Detention Center for further administrative investigation, (excluding internal investigations of staff) and disciplinary sanctions, if warranted. Documentation showed that thirty-one allegations of sexual abuse or sexual harassment were investigated with twenty-nine of them administrative investigations and two others were referred for criminal investigation. Documentation was very detailed and easy to read. All investigations were of sexual harassment allegations and all were completed. Seven of the allegations were substantiated, five were unsubstantiated, and nineteen were unfounded. One of the criminal investigations which was staff misconduct was unfounded and one was inmate on inmate sexual abuse which was unsubstantiated.

Agency policy regarding the referral of allegations of sexual abuse and sexual harassment is published on the agency's website. Based upon the protocol of three levels of investigations and the details of each and the detailed investigation checklist, the auditor finds that the facility exceeds this standard.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Policy 10.3

Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee

Bannock County Sheriff's Office website: www.bannockcounty.us/sheriff

Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

Interviews with Bannock County Sheriff's administrative investigators and criminal investigators

PREA Investigator training certificates for Bannock County Investigators
Investigation Checklist
Reports of sexual abuse and sexual harassment allegations and subsequent investigations

TRAINING AND EDUCATION

Standard 115.31: Employee training

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

115.31 (a)

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

115.31 (b)

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

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

115.31 (c)

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

115.31 (d)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.31(a) Bannock County Detention Policy 10.1 requires that employees receive one hour of PREA training every year. The following is included every year in the training:

1. Training on policy and procedure.
2. Training during new employee orientation and/or during the FTO process.
3. Training on recognizing possible cases of victimization.
4. Training on classification procedures.
5. General training on recognition, prevention, and investigation of sexual misconduct and how to fulfill their responsibilities.
6. The agency's zero-tolerance policy for sexual harassment or sexual abuse.
7. Inmate's rights to be free from sexual harassment and sexual abuse.

8. The rights of inmates and staff to be free from retaliation for reporting sexual harassment or sexual abuse.
9. The dynamics of sexual harassment and sexual abuse in confinement.
10. The common reactions of sexually harassed or sexually abused victims.
11. How to detect and respond to signs of threatened or actual sexual abuse.
12. How to avoid inappropriate relationships with inmates.
13. How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex or gender nonconforming inmates.
14. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

In-house policy and procedure training are also done throughout the year and all employees watched the online NIC video, "PREA: Your Role: Responding to Sexual Abuse."

Documentation provided included a detailed power point presentation that was very comprehensive and covered all of the topics required by this standard and class rosters. Interviews with random staff revealed that the staff have extensive training on PREA and are very knowledgeable on the topics.

115.31(b) The training is tailored to the gender of the inmates at the Bannock County Detention Center 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(c) The full PREA training is provided to employees every year instead of every other year and included is refresher training on policy and procedure throughout the year. An exam is given to the staff at the end of the training and the auditor was given a copy of the exam that is given. The FTO training program for new hires also has extensive PREA training in it. The auditor finds that the facility exceeds this part of the standard because of the extensive employee training.

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

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Policy 10.1
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
PREA Training Power Point
PREA Exam
NIC Online Video
Staff rosters and description of training received
PREA Acknowledgement form for employees
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator
Interviews with random staff

Standard 115.32: Volunteer and contractor training

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

115.32 (a)

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

115.32 (b)

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

115.32 (c)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.32(a) Bannock County Detention Center Policy 10.1 requires all volunteers and contractors who may have contact with inmates be trained on PREA requirements. The training curriculum includes a very comprehensive power point presentation that covers all the required topics and their responsibilities under the PREA requirements. Fifty-seven volunteers and individual contractors who have contact with inmates have been trained in PREA requirements during the last twelve months. This totals 100 % that have been trained.

115.32(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 that they have received the training and understand it. The facility maintains that documentation.

There were no volunteers available at the time of the audit. Three contract employees were interviewed (medical, mental health, and food services) and compliance was found with this standard.

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

Standard 115.33: Inmate education

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

115.33 (a)

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

115.33 (b)

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

115.33 (c)

- Have all inmates received the comprehensive education referenced in 115.33(b)? Yes No

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

115.33 (d)

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

115.33 (e)

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

115.33 (f)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.33(a - c) The Bannock County Detention Center reports that 3922 inmates have been admitted in the past twelve months to the facility and all have been provided with comprehensive information during the intake, booking, and classification process. All inmates in the Bannock County Detention Center receive a flyer and an inmate handbook at intake that explains their rights under PREA and how to report an incident. A deputy also explains the zero-tolerance policy to the inmate and explains how to report a sexual abuse or sexual harassment. The inmate signs that he or she has received this information. After booking is completed, inmates are shown an orientation video that explains the rules and operations of the Detention Center and explains the inmate's right to be free from sexual abuse and sexual harassment, the zero-tolerance policy, methods to report sexual abuse and sexual harassment, what to do if sexually abused or sexually harassed, and their right to be free from retaliation for reporting sexual abuse or sexual harassment. Within 72 hours, a Classification Deputy does an extensive screening for risk and discusses the PREA information again with the inmates.

PREA training is done two or more times monthly with inmates by a Supervisor once again verbally explaining the information to the inmates. During unannounced supervisor rounds PREA training and discussions are given. It is also covered verbally in housing units based on this schedule: Dayshifts will conduct inmate education on odd months and nightshifts on even months. Week dayshifts will conduct inmate education the first half of the month and weekends on the second half of the month. The facility provided the auditor with the training curriculum given during this time and documentation of several of these training sessions. Interviews with inmates confirm that PREA training is done frequently and the inmates were very knowledgeable about the PREA rules and how to report an incident. Because of the constant training, both in person and video, the auditor finds that the Bannock County Detention Center exceeds this part of the standard.

115.33(d) The Bannock County Detention Center ensures that key information is continuously available to inmates through posters, flyers, and inmate handbooks. PREA posters are displayed in the dayrooms with the abuse hotline number by the phones. Posters and pamphlets are displayed in English and Spanish. The handbook is also available in a Spanish version. The facility provides translation services for all PREA educational materials for inmates with disabilities and limited English proficient.

Policy states, "Normally effective communication can be achieved by exchanging written notes (deaf or hearing impaired), verbally or with recordings or with written documents/notes with enlarged print (blind or vision impaired).".

The following qualified interpreters or interpretation services are available to help with training of the deaf:

1. Idaho Council for the Deaf and Hard of Hearing may be referenced and/or contacted for a list of qualified interpreters. Their website is: <https://cdhh.idaho.gov/interpreter-directory/>
2. Purple Video Relay Services has been installed in conjunction with the inmate communications system to provide interpretation services.
3. TTY and Relay Services:

4. TTY Services (also known as telecommunications device for deaf people or TDD) is a feature provided by the inmate communications system. The Detention Center also has its own TTY device in the event the inmate communications system malfunctions.

The facility has a mental health provider who can assist training with those with mental illness and psychiatric disabilities.

A staff member will read the information in the training of the rules of sexual abuse or sexual harassment to inmates who have low vision or who are blind. Inmate handbooks can be given in large print editions. Interviews with random inmates revealed that the majority of inmates are retaining the information they are provided through the video, handbook, posters and flyers and twice a month training. All of the interviews with inmates confirmed that they received training and information on PREA at booking and receive it in the housing units at least twice a month. All stated that information is posted on the wall of the housing unit, and is in the inmate handbook on how to report a sexual abuse or sexual harassment. All knew they could access a hotline number on the phone. The majority of inmates knew that there was a counseling service available and it was a free call. Most knew there were ways to report an incident outside the facility such as the local police department, the counseling service, probation and parole, their attorneys, and friends or families. Some of the inmates complained they are tired of hearing about PREA because they don't feel it is a problem in the Bannock County Detention Center.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Bannock County Detention Center Policy 2.6
- Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
- PREA Inmate Acknowledgement Form and random signatures
- Inmate Handbook
- PREA pamphlets given to inmates
- PREA Posters displayed in dayrooms
- PREA video
- Documentation of training in housing units
- Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator
- Interviews with random inmates
- Interviews with facility intake staff
- Interviews with random staff

Standard 115.34: Specialized training: Investigations

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

115.34 (a)

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

115.34 (b)

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

115.34 (c)

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

115.34 (d)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.34(a) The Bannock County Detention Policy 10.4 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 online PREA Investigators course, "Investigating Sexual Abuse in a Confinement Setting" available through the PREA Resource Center and the National Institute of Corrections.

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 Bannock 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 training records for the five investigators in the Detective Division and nine investigators in the Detention Center who took the investigator's specialized training. Interviews with investigators confirmed that they have taken the NIC training

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Policy 10.4
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Objectives for the online course, "Investigating Sexual Abuse in a Confinement Setting"
Training documentation for investigators completing the specialized training
Interviews with facility investigators
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

Standard 115.35: Specialized training: Medical and mental health care

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

115.35 (a)

- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.) Yes No NA
- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.) Yes No NA
- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.) Yes No NA
- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.) Yes No NA

115.35 (b)

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

115.35 (c)

- Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.) Yes No NA

115.35 (d)

- Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.) Yes No NA

- Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.) Yes No NA

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.35(a) The Bannock County Sheriff's Office contracts with Ivy Medical to provide medical care at the facility. Nurses are on duty 24/7 and medical clinics are held three days a week. A Mental Health Provider is on duty five days a week, Monday through Friday. Interviews with contract medical staff and the mental health practitioner confirmed that they are provided in-depth training on their responsibilities under PREA. Specialized training includes the four elements required by this PREA standard. The number of medical health practitioners who work regularly at the facility and have the training is twelve. One employee is new and has not had the training but is scheduled to take it November 19, 2019.

115.35(b) The medical contractor does not conduct forensic exams at the Bannock County Detention Center. Victims of sexual abuse are transported to Portneuf Medical Center in Pocatello, 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 staff take the full PREA training and subsequent training is the training for volunteers and contractors.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Center Policy 10.1
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
PREA Training Acknowledgement Form for Volunteers and Contractors
Training Curriculum
Interview with nurse
Interview with Mental Health Provider
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS

Standard 115.41: Screening for risk of victimization and abusiveness

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

115.41 (a)

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

115.41 (b)

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

115.41 (c)

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

115.41 (d)

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

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

115.41 (e)

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

115.41 (f)

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

115.41 (g)

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

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

115.41 (h)

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

115.41 (i)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.41(a - b) Bannock County Detention Policy 5.2 requires the Classification Officer to complete an initial PREA risk assessment on inmates after they are booked into the facility. During the audit tour, the auditor interviewed a Classification Officer who explained the booking process and the risk screening process. The risk screening is done in a private room within the booking room where inmates have privacy answering the questions. The risk screening is done within 72 hours of booking and will normally be done within the first 24 hours. The Bannock County Detention Center reported that 1754 inmates, with a length of stay in the facility for 72 hours or more, 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 of the ten topical areas of information as detailed in this standard plus a few extra. The auditor reviewed ten files of inmates and verified that the screening instrument is being used. Interviews with inmates confirmed they were given the risk screening shortly after booking.

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

115.41(f) A reassessment of the inmate, using the objective risk screening instrument, is conducted within 30 days of intake for those inmates who score high risk at the initial assessment or any additional information is received on any inmate after the initial assessment. The Bannock County Detention Center reported 173 inmates were reassessed for their risk of sexual victimization or of being sexually abusive within 30 days after their arrival at the facility based upon additional, relevant information received since intake.

115.41(g) Bannock County Detention Center Policy 5.2 also requires that an inmate's risk level be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that directly affects the inmate's risk of victimization or abusiveness.

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

115.41(i) Policy states that, "The Classification Deputy will not disseminate this information to ensure that the sensitive information is not exploited to the inmate's detriment by staff or other inmates. The agency shall implement appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates". Policy states that if it does happen, the staff member will face disciplinary action up to, and including, termination.

The screening files are kept in a secure file in the jail management system where only Detention Administrators, Detention Sergeants, Detention Investigation Team Members, Classification Deputies, and Medical Personnel have access to the files.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Bannock County Detention Center Policy 5.2
- Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
- Objective Risk Screening Instrument
- Interview with Classification Officer
- Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator
- Random Inmate Files
- Risk Screening Storage in the jail management system

Standard 115.42: Use of screening information

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

115.42 (a)

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

115.42 (b)

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

115.42 (c)

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

115.42 (d)

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

115.42 (e)

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

115.42 (f)

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

115.42 (g)

- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.) Yes No NA
- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.) Yes No NA
- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.) Yes No NA

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.42(a) The Bannock County Detention Center Policy 5.2 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. Bannock County Detention Center uses the Northpointe Decision Tree to place all of the objective information in the tree to see where the inmate can be housed safely. The Classification Officer then looks at what programs would benefit the inmate and keep him or her safe.

115.42(b) Classification Officers 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 Bannock County Detention Center policy 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 5.2 requires that at least twice each year, beginning with the intake date, the Classification Officer will conduct a reassessment on all transgender and intersex inmates to review any threats of safety experienced by the inmate. Once this reassessment is completed, the Classification Deputy enters the reassessment and recommendations in the Jail Management system into the inmate's file.

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

115.42(f) Policy states that transgender and intersex inmates will be allowed to shower separately from other inmates, upon request.

115.42(g) The Bannock County Detention Policy 5.2 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 Bannock County Detention Center is under no such legal restriction.

The Bannock County Detention Center reported that they had one transgender female inmate in the facility during the previous twelve months. The inmate preferred to be housed with females so she was put into the female housing unit in what is called the "bubble." The bubble is an area within the female housing unit where maximum custody females or special needs females are housed. There is glass around the bubble that physically separates inmates from other inmates in the housing unit but where inmates are still able to see and communicate with other inmates in the housing unit. They just can't have physical contact with anyone except others in the bubble. The shower in that unit is private and inmates in the bubble have single cells to sleep in. The inmate was housed in the bubble during her stay

except when she was moved to restrictive housing twice for investigations into PREA allegations against her. Interviews with staff confirmed there was only one transgender in the facility.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Policy 5.2
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Objective Risk Screening Instrument
Northpointe Decision Tree
Interviews with Classification Officers
Interviews with random staff
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

Standard 115.43: Protective Custody

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

115.43 (a)

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

115.43 (b)

- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible? Yes No
- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible? Yes No
- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible? Yes No
- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible? Yes No

- If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility *never* restricts access to programs, privileges, education, or work opportunities.) Yes No NA
- If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility *never* restricts access to programs, privileges, education, or work opportunities.) Yes No NA
- If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility *never* restricts access to programs, privileges, education, or work opportunities.) Yes No NA

115.43 (c)

- Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged? Yes No
- Does such an assignment not ordinarily exceed a period of 30 days? Yes No

115.43 (d)

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

115.43 (e)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.43(a and d) The Bannock County Detention Center Policy 5.2 prohibits the Detention Center from placing inmates at high risk for sexual victimization in involuntary restrictive housing unless the determination has been made that this housing assignment best protects the safety of the inmate and a review of other alternatives failed to provide adequate safety from likely abusers. The inmate may be placed in involuntary restrictive housing for a time period, not to exceed 24 hours, in order to complete the assessment and find appropriate housing. The policy details the procedures taken to maintain compliance with this standard. Capt. Bybee reported that over the twelve months prior to the audit, four inmates were placed in involuntary restrictive housing for anywhere from one to twenty-four hours until appropriate housing could be found.

115.43(b) The policy requires any inmates placed in involuntary restrictive housing have access to programs, privileges, education and work opportunities to the extent possible. If opportunities are restricted, the Classification Deputy will document on a template on the PREA Restricted Housing (PRH) event which opportunities have been limited, the duration of the limitation, and the reasons for the limitations.

115.43(c) If no alternative housing can be found immediately, the inmate may normally be held in involuntary restrictive housing for no more than 30 days. The Bannock County Detention Center reported that no inmates were held longer than 24 hours in involuntary housing.

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

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

At the time of the audit, there were no inmates assigned to involuntary segregated housing to separate them from likely abusers and only four inmates were temporarily housed as stated above, in the twelve months prior to the audit.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Policy 5.2
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Objective Risk Assessment Instrument
Idaho Jail Standards
Reports of inmates held in involuntary housing for up to 24 hours

Interviews with random staff and inmates

Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

REPORTING

Standard 115.51: Inmate reporting

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

115.51 (a)

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

115.51 (b)

- Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency? Yes No
- Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials? Yes No
- Does that private entity or office allow the inmate to remain anonymous upon request? Yes No
- Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility *never* houses inmates detained solely for civil immigration purposes) Yes No NA

115.51 (c)

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

115.51 (d)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.51(a) The Bannock County Detention Center clearly outlines multiple ways to privately report a sexual assault, sexual harassment, or retaliation from other inmates or staff for reporting sexual abuse or sexual harassment, and any staff neglect that may have contributed to sexual abuse of sexual harassment. Policy 10.2 gives the following ways to report within the facility:

1. The inmate may report it by telling Staff.
2. The inmate may call or have someone else call the Detention Center Rape Reporting Line utilizing the speed dial function on the inmate phones.
3. Submitting a request slip
4. Personal letter to Administration or Staff
5. Medical
6. PREA Hotline

Policy further states that staff are to take reports from inmates any way that they choose to give them. The inmates are given the ways to report a sexual abuse or sexual harassment allegation through the flyers, posters, and the inmate handbook that are provided to them.

115.51(b) The Bannock County Detention Center has made arrangements with the Pocatello Police Department to take reports of sexual abuse or sexual harassment from inmates in the facility and report them to the Bannock County Detention Center. Capt. Bybee gave the auditor a copy of the notice that a Captain with Pocatello PD gave to the dispatch center describing how to handle calls from inmates reporting a sexual abuse or sexual harassment. These calls are free to the inmates.

The facility also notifies inmates they can contact a family member, friend, attorney or anyone else outside the agency that they feel comfortable calling.

Inmates are rarely detained solely on civil immigration holds, but the agency has in policy that these inmates are provided information on how to contact relevant consular officials and relevant officials of the Department of Homeland Security. Inmates have access to phones in their dayrooms and policy allows for free phone calls to contact the reporting hotline and Family Services Alliance. Contact information for Family Services Alliance is on the wall of the housing units.

115.51(c) The Bannock County Detention Center Policy 10.2 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 who will initiate the investigation.

115.51(d) Staff at the Bannock County Detention Center can privately report sexual abuse and sexual harassment to the PREA Coordinator or to anyone in the Chain of Command up to, and including, the Sheriff. This information is in the policy and is given to them in their yearly PREA training. All of the staff I interviewed knew they could privately report to any of these people.

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

Interviews with inmates clearly demonstrate they are very knowledgeable about how to report a sexual abuse or sexual harassment. All stated they had information given to them at booking, watched a video, were given comprehensive education within two weeks of booking, are given education twice a month, and there are posters and flyers posted in every housing unit that explain how to report. All stated they could talk to a deputy or any staff in the Detention Center, and that they could report anonymously, verbally, in writing or any third party. All knew they could access a hotline number on the phone that is a free call and could contact family and friends to make a report. And, the majority knew they could call a counselor for support or to report an incident and that calls to her are free and unmonitored.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Bannock County Detention Center Policies 5.2 and 10.2
- Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
- PREA Inmate Acknowledgement Form and random signatures
- Inmate Handbook
- PREA flyer
- PREA Posters displayed in dayrooms
- Inmate Orientation Video
- Interviews with random inmates
- Interviews with staff who conduct bookings
- Interviews with random staff
- Twenty-nine reports of sexual harassment
- Two reports of sexual abuse

Standard 115.52: Exhaustion of administrative remedies

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

115.52 (a)

- Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse. Yes No

115.52 (b)

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

115.52 (c)

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

115.52 (d)

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

115.52 (e)

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

115.52 (f)

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

115.52 (g)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

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

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

Standard 115.53: Inmate access to outside confidential support services

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

115.53 (a)

- Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations? Yes No

- Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies? (N/A if the facility *never* has persons detained solely for civil immigration purposes.) Yes No NA
- Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible? Yes No

115.53 (b)

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

115.53 (c)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.53(a - b) The Bannock County Detention Center's Policy 10.3 states, "Providing the inmate with the mailing address and telephone number to our local rape crisis organization, Family Services Alliance. This information is provided to the inmate via the PREA Pamphlet that is given to the individual upon intake.

- Enabling reasonable communication between inmates and this organization in as confidential a manner as possible.

- Inmates detained solely for civil immigration purposes will be provided mailing addresses and telephone numbers of immigrant service agencies.
- Said telephone calls will be provided free of charge to the inmate.
- Prior to giving the inmate access, the supervisor will advise the inmate the following:
 - That these communications will not be monitored.
 - That information may be relayed from the victim advocate in order to initiate and conduct an investigation into the sexual abuse in accordance with mandatory reporting laws.”

The auditor relied on the policy and interviews with Capt. Bybee as there has not been an incident where the Family Services Alliance has been needed or requested.

115.53(c) The Bannock County Detention Center has an MOU with Family Services Alliance of Southeast 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. Advocates provide support, crisis intervention, mental health counseling when needed, information and referral services to the victim. Information on how to contact the advocate is on a flyer that is posted in each housing unit. The Bannock County Detention Center enables communication between the advocate and the victim in as confidential manner as possible.

An interview with Family Services Alliance confirmed they provide the above services to the Detention Center but have not had any incidents to date.

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

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

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Bannock County Detention Center Policy 10.3
- Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
- MOU between Family Services Alliance of Southeast Idaho and Bannock County
- PREA informational flyer
- PREA Poster
- Inmate Handbook
- Curriculum taught to inmates twice a month
- Acknowledgement Form
- Interviews with random inmates
- Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator
- Phone Interview with Family Services Alliance of Southeast Idaho

Standard 115.54: Third-party reporting

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

115.54 (a)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.54(a) The Bannock County Detention Center allows third parties to report a sexual abuse or sexual harassment incident on behalf of an inmate. The agency provides information on its website, www.bannockcounty.us/sheriff on how to report a sexual abuse or sexual harassment of an inmate. The site provides three ways to report sexual abuse and sexual harassment of the inmate including a phone number to call the Jail Administrator, Detention Supervisor, and the Pocatello Police Department. The information explains that all reports of sexual abuse and sexual harassment are taken seriously and will be investigated.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Completed Pre-Audit Questionnaire completed by Capt. Tad Bybee
Bannock County Sheriff Website: www.bannockcounty.us/sheriff
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

OFFICIAL RESPONSE FOLLOWING AN INMATE REPORT

Standard 115.61: Staff and agency reporting duties

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

115.61 (a)

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

115.61 (b)

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

115.61 (c)

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

115.61 (d)

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

115.61 (e)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.61(a) The Bannock County Detention Center Policy 10.2 requires staff to immediately report any suspected or alleged sexual abuse, sexual harassment, retaliation or neglect that occurred in a facility whether or not it is part of the agency. Interviews with random staff confirmed that they are aware of this policy and all stated they would report any knowledge or suspicion of any of the three.

115.61(b) Policy 10.2 also prohibits staff from revealing any information related to a sexual abuse or sexual harassment report to anyone other than designated supervisors or officials and, to the extent necessary, to make treatment, investigation, and other security and management decisions. Interviews with random staff confirmed that this information is included in the yearly PREA training.

115.61(c) Medical and mental health practitioners within the facility are required to report sexual abuse that is disclosed to them by inmates and, at the initiation of services, must inform the inmate of their duty to report the incident and the limitations of confidentiality. Interviews with medical and mental health practitioners revealed they knew the policy and also received the information in their PREA training. There were no incidents of sexual abuse reported to medical providers during the twelve months prior to the audit.

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

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

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Center Policy 10.2
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
PREA training curriculum
Interviews with random staff
Interviews with a medical practitioner and a mental health practitioner
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

Standard 115.62: Agency protection duties

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

115.62 (a)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.62(a) The Bannock County Detention Center reports that there were nineteen incidents in the past twelve months where the facility determined an inmate was subject to a substantial risk of imminent sexual abuse if left in the unit. All of the inmates were immediately moved out of the housing unit until an investigation could be completed. The auditor was able to review all of the actions taken. Inmates at substantial risk of imminent sexual abuse are either removed from the housing unit and reassigned to other appropriate housing or another facility that ensures the inmate's safety or the perpetrator is reassigned to another housing unit or another facility, depending on the circumstances of the situation. There will be direct monitoring of the victim in most circumstances and the victim will, if needed, will be referred to a counselor for emotional or psychological support.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Center Policy 10.3
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Reports of inmates who staff felt were at risk of imminent harm
Interviews with random staff
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

Standard 115.63: Reporting to other confinement facilities

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

115.63 (a)

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

115.63 (b)

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

115.63 (c)

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

115.63 (d)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.63(a) The Bannock County Detention Center Policy 10.2 requires the Jail Administrator to report any abuse allegation received regarding an inmate abused at another facility to the agency head, or appropriate officer, where the sexual abuse is alleged to have occurred.

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

115.63(c) The notification from the Bannock County Detention Center to the other agency is documented in the Jail Management System. The Bannock County Detention Center reported there were two reports of this type during the twelve months prior to the audit. Capt. Bybee notified the other county and the prison where the incidents allegedly occurred so they could be investigated. The auditor reviewed the documentation of the reports and subsequent notifications.

115.63(d) Upon receiving notification from an outside facility that an inmate was sexually abused while in the custody of the Bannock County Detention Center, the Jail Administrator assures an investigation is done into the allegation. If a staff member was allegedly involved, the Sheriff or Undersheriff will request Tri-County Investigators do the investigation. The Bannock County Detention Center reported there was one report of this type during the past twelve months. The allegation was made by an inmate that was transported to the other agency from Bannock County. However, the transport officer was from an agency other than Bannock County so Capt. Bybee notified the other agency of the allegation.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Bannock County Detention Center Policy 10.2
- Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
- Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator
- Reports of allegations made about another county
- Report of allegations made during a transport from Bannock County

Standard 115.64: Staff first responder duties

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

115.64 (a)

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

115.64 (b)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.64(a) The Bannock County Detention Center Policies 10.2 and 10.3 outline 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 much more:

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

There was also a very detailed checklist of the supervisor's responsibilities when an allegation of sexual abuse is made. The checklist details what to do with both the alleged victim and alleged abuser. The checklist also goes through the investigation and final determinations. Therefore, the auditor finds that with the creation and use of these detailed checklists, the facility exceeds this part of the standard. The Bannock County Detention Center reported that in the past twelve months, there were two allegations that an inmate was sexually abused in the facility but one was unsubstantiated and one was unfounded. A forensic exam was not needed in either situation.

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

Interviews with random staff and supervisors confirmed that staff are very knowledgeable in their duties as a first responder to a sexual abuse or sexual harassment incident, are familiar with the First Responder Checklist and the Supervisor's Checklist, and have received the training in their yearly PREA training.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Policies 10.2 and 10.3
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
First Responder's Checklist
Supervisor's Checklist
Investigator's Checklist
Interviews with random staff
Interview with the Investigation Team Supervisor
Interviews with medical and mental health practitioners
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

Standard 115.65: Coordinated response

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

115.65 (a)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.65(a) The Bannock County Detention Center has a very detailed description in policy as to what everyone's duties are and how they are coordinated. There is also a very detailed checklist that goes from First Responder to Supervisor to PREA Investigation team, and to the PREA Investigation Team Supervisor. Because of this detailed checklist that is easy for staff to follow and covers every aspect of the allegation from report to notification to inmate of results, the auditor finds the facility exceeds this standard

Interviews with random staff, medical practitioners, investigators, and supervisors confirmed that staff are very knowledgeable in their duties required in a sexual abuse or sexual harassment incident, are familiar with the First Responder Checklist, Supervisor's Checklist, and Investigation checklist and have received the training in their yearly PREA training.

115.65(a) The Bannock County Detention Policy 15.6 requires a coordinated response plan that coordinates the actions of first responders, medical and mental health practitioners, investigators, and facility leadership. The plan is in the policy and outlines the responsibilities of first responders, shift supervisors, medical practitioners, mental health practitioners, the 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.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Policy 10.2
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Coordinated Response Plan
Response checklists of First Responders, Shift Supervisors, and Investigators
Interviews with investigators
Interviews with random staff
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator
Interview with Shift Supervisor

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

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

115.66 (a)

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

115.66 (b)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

The Bannock County Sheriff's Office and Detention Center do not have any collective bargaining agreements in place and have not had any at any time. Bannock 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 Bannock County Sheriff's Office and Detention Center.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Interview with Sheriff Lorin Nielsen
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

Standard 115.67: Agency protection against retaliation

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

115.67 (a)

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

115.67 (b)

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

115.67 (c)

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

115.67 (d)

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

115.67 (e)

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

115.67 (f)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.67(a and d) Bannock County Detention Center Policy 10.4 prohibits retaliation against inmates or staff members who report sexual abuse or sexual harassment and requires monitoring of the inmate or staff member for retaliation. The Jail Administrator and two Lieutenants are responsible for monitoring anyone who reports a sexual abuse or sexual harassment allegation.

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

115.67(c) Bannock County Detention Policy 10.4 requires monitoring the conduct and treatment of inmates and staff who report sexual abuse or sexual harassment and of inmates who were reported to have suffered sexual abuse for signs of changes that may suggest possible retaliation and shall act promptly to remedy any such retaliation. This monitoring is to continue for 90 days or longer if the initial monitoring indicates a need for further monitoring. The auditor was provided documentation of 90-day

retaliation monitoring done by the Captain or Lieutenants. No incidents of retaliation were noted on the reports. An interview with one of the Lieutenants confirmed the actions taken to conduct retaliation monitoring.

115.67(d) Policy also requires the facility to take proper measures to protect any other individual who has cooperated with an investigation and expresses a fear of retaliation. The Bannock County Detention Center reported there were no incidents of someone cooperating with an investigation that expressed a fear of retaliation.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Policy 10.4
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

Standard 115.68: Post-allegation protective custody

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

115.68 (a)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.68(a) The Bannock County Detention Center Policy 5.2 prohibits the Classification Officers from placing inmates who allege to have suffered sexual abuse in involuntary restrictive housing unless the determination has been made that this housing assignment best protects the safety of the inmate and a review of other alternatives failed to provide adequate safety from likely abusers. When inmates are placed in involuntary restrictive housing in order to separate the victim from the abuser, the placement is only for the time needed to finish the investigation and find alternative housing. The policy details the procedures taken to maintain compliance with this standard. Interviews with staff revealed four incidents of involuntary housing being used for this purpose but the inmates were not in involuntary housing for more than 24 hours. There were no inmates in involuntary restrictive housing at the time of the audit for this purpose for the auditor to interview.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Center Policy 5.2
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Interviews with random staff
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

INVESTIGATIONS

Standard 115.71: Criminal and administrative agency investigations

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

115.71 (a)

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

115.71 (b)

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

115.71 (c)

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

115.71 (d)

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

115.71 (e)

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

115.71 (f)

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

115.71 (g)

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

115.71 (h)

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

115.71 (i)

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

115.71 (j)

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

115.71 (k)

- Auditor is not required to audit this provision.

115.71 (l)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.71(a) Bannock County Detention Center policy 10.4 requires that investigators initiate an investigation as soon as possible upon receiving an allegation of sexual abuse or sexual harassment. Administrative investigations are done by the Detention Investigators Team, criminal by the Bannock County Detective Division, and, when staff are allegedly involved, the case is referred by the Sheriff 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 nine investigators assigned to investigate sexual abuse and sexual harassment in the Bannock County Detention Center and five investigators from the Bannock County Detective Division. A review of training certificates and a training roster confirm that all fourteen investigators have had the specialized training for investigators. This training was the NIC online training, "Investigating Sexual Abuse in a Confinement Setting". This training included techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or referral to the prosecutor for criminal charges. In addition, all criminal allegations are investigated by detectives who have had extensive training on sexual abuse investigations and use Miranda and Garrity warnings frequently in their regular jobs.

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

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

job. However, if there is any question or concerns, they will confer with the prosecutor before taking any action.

115.71(e) Bannock County Detention Center Policy 10.4 requires that the credibility of the alleged victim will be assessed on a case-by-case basis and shall not be determined by the person's status as an inmate. During interviews with investigators they confirmed that this was practice as well as policy. The investigator also stated that inmates will be treated humanely while receiving the same response to their allegations of sexual abuse or sexual harassment as someone from outside the facility would receive.

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

115.71(f) Policy requires that a thorough report be written at the conclusion of an administrative investigation that includes a description of what evidence was collected or reviewed, the reasons behind any credibility assessments, and any facts and findings the investigator discovered in the investigation. Investigators will also consider whether staff actions or failures to act contributed to the incident of abuse.

115.71(g and h) Bannock County Detention Policy 10.4 and interviews with criminal investigators confirm that comprehensive reports are written at the conclusion of criminal investigations and the reports fully describe any physical, testimonial, and documentary evidence gathered, considered, or relied on. When it is practical, copies of documentary evidence are attached to the report. Substantiated criminal investigations are referred for prosecution, when warranted. During the twelve months prior to the audit, there have been two criminal abuse allegations or investigations in the facility. One of these involved a staff member and was unfounded and the second one was a nonconsensual sexual abuse allegation and was determined to be unsubstantiated.

The auditor was given a large folder with all administrative and criminal investigation reports. There were the two reports listed above and twenty-nine other reports that were sexual harassment allegations. Of the twenty-nine, seven of the allegations were substantiated, four were unsubstantiated, and eighteen were unfounded.

115.71(i) Bannock County Detention Center Policy 10.4 requires all written reports referenced in 115.71(f and g) are retained for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

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

115.71(l) When an outside law enforcement agency is assigned to an investigation, the Bannock County Sheriff's Office and Detention Center will cooperate fully with the investigators and will stay informed as to the progress of the investigation. Interviews with Bannock County investigators explained that there is a very good working relationship between Bannock County Sheriff's Office and the agencies that assist in investigations.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Center Policy 10.4
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Objectives for the online course, "Investigating Sexual Abuse in a Confinement Setting"
Training documentation for investigators completing the specialized training
Bannock County Detention Investigation Checklist
Interviews with administrative and criminal investigators
Interview with Detention Investigation Team Supervisor
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

Standard 115.72: Evidentiary standard for administrative investigations

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

115.72 (a)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.72(a) Bannock County Detention Policy 10.4 requires the Bannock 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 this is the standard.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Center Policy 10.4
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Interviews with investigative staff
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

Standard 115.73: Reporting to inmates

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

115.73 (a)

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

115.73 (b)

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

115.73 (c)

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

115.73 (d)

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

115.73 (e)

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

115.73 (f)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.73(a) Bannock County Detention Policy 10.4 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. The Bannock County Detention Center reported that twenty-nine allegations of sexual harassment and 2 allegations of sexual abuse were made and nineteen of the inmates making the allegations were informed as to the determination of the investigation. The inmates that were not informed of the outcome were no longer in the facility. The documentation of the final determination is at the end of the investigation checklist and the auditor viewed samples of these notifications.

115.73(b) When an outside law enforcement agency is brought in to conduct an investigation, the inmate will be notified of the outcome when it is known. Outside investigations do not happen often, but it is in policy and on the checklist that the notification is made.

115.73(c) Bannock County Detention Policy 10.4 is consistent with the standard for notification when an employee has sexually abused an inmate. The Bannock County Detention Center reported that one allegation of this type was reported during the twelve months prior to the audit and it was determined to be unfounded.

115.73(d) The policy is consistent with this standard. The Bannock County Detention Center hasn't had any incidents of inmate-on-inmate sexual abuse that resulted in criminal charges or criminal convictions during the past twelve months.

115.73(e) Notifications to inmates are documented on the Bannock County Detention Center's investigation checklist.

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

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Bannock County Detention Center Policy 10.4
- Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
- Bannock County Detention Investigation Checklist
- Interview with administrative and criminal investigators
- Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

DISCIPLINE

Standard 115.76: Disciplinary sanctions for staff

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

115.76 (a)

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

115.76 (b)

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

115.76 (c)

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

115.76 (d)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.76(a - c) Bannock County Detention Center Policy 10.1 states, "In accordance with the Sheriff's Office Policy on Requirements/Personal Conduct, all staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual misconduct policies." Progressive discipline considers the circumstances, the staff member's disciplinary history, and sanctions imposed for comparable offenses by other staff with similar histories when imposing sanctions. Termination is the presumptive disciplinary sanction for staff who have engaged in sexual abuse of an inmate.

The Bannock County Detention Center reported that one incident of staff-on-inmate sexual abuse was reported and determined to be unfounded. No discipline was issued to the staff member as the allegation was unfounded.

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

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Center Policies 1.8 and 10.1
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

Standard 115.77: Corrective action for contractors and volunteers

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

115.77 (a)

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

115.77 (b)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.77(a) The Bannock County Detention Center Policy 10.4 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 Bannock 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 auditor is relying on policy and interviews to make a determination of this standard as the Bannock County Detention Center reported that there were no contractors or volunteers who were alleged to have violated the agency's sexual abuse or sexual harassment policies during the past twelve months.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Center Policy 10.4
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

Standard 115.78: Disciplinary sanctions for inmates

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

115.78 (a)

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

115.78 (b)

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

115.78 (c)

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

115.78 (d)

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

115.78 (e)

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

115.78 (f)

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

115.78 (g)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

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

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.

A review of the sexual harassment investigations showed that during the past twelve months, five incidents of inmate-on-inmate sexual harassment resulted in the abusers being sent through the disciplinary process.

115.78(c) Bannock County Detention Center Policy 10.4 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 Bannock County Detention Center does not provide therapy, counseling, or other interventions for inmate abusers.

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

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

115.78(f) Agency policy prohibits all sexual activity between inmates but doesn't deem such activity sexual abuse unless it is determined that the activity was coerced. Bannock County Detention Center reported that, during the past twelve months, there were no instances where administrative or criminal investigations were substantiated for inmate-on-inmate sexual abuse, consensual or non-consensual.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Bannock County Detention Policy 10.4
- Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
- Inmate Handbook
- Inmate Disciplinary Policy
- Thirty-one investigation reports
- Five Disciplinary Markers
- Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

MEDICAL AND MENTAL CARE

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

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

115.81 (a)

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

115.81 (b)

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

115.81 (c)

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

115.81 (d)

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

115.81 (e)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.81(a and c) When an inmate discloses sexual abuse either at an institutional facility or in a community setting, Bannock County Detention Center Policy 5.2 states that If the assessments reflect that an inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, the Classification Deputy shall enter the date/time in the Jail Management System reflecting a 14 day PREA reassessment needs completed within 14 days from the screening date and, reports this to the Medical Staff to ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the assessments. Capt. Bybee and a Classification Officer explained that all inmates who report sexual abuse in the community or another institution are put on the list for follow-up by Medical. Therefore, the auditor finds that the Bannock County Detention Center exceeds this part of the standard.

The auditor interviewed two inmates who admitted to being a victim of sexual abuse in the community prior to arrest and confirmed they were asked this at the screening and within fourteen days were taken to medical for follow-up.

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 is used for classification of the inmate and is strictly limited to informing security and management decisions, including treatment plans, housing, work, bed, education, and program assignments.

115.81(e) Interviews with a Medical Practitioner verified that informed consent is required of the inmate before disclosing prior sexual victimization that did not happen in an institutional setting.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Center Policy 5.2
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Risk Assessment Instrument

Random screening forms
Interview with Medical and Mental Health Practitioners
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator
Interviews with inmates who had been victims of sexual abuse in the community

Standard 115.82: Access to emergency medical and mental health services

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

115.82 (a)

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

115.82 (b)

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

115.82 (c)

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

115.82 (d)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.82(a) Interviews with 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 Bannock County Detention Center reported there were no inmate victims of sexual abuse in the last twelve months who needed emergency care so the auditor had no medical records to review.

115.82(b) Medical staff are on duty in the Bannock County Detention Center 24/7. However, in the rare possibility no qualified medical practitioner is 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 practitioners. When necessary, all victims are transported to Portneuf Medical Center in Pocatello, Idaho where SAFE or SANE exams are conducted. Inmates are offered a victim's advocate from Family Services Alliance of Southeast Idaho to accompany them through the exam and subsequent investigation.

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

15.82(d) Policy 10.2 states that in all circumstances of sexual abuse within the facility, treatment and advocates are provided to the victim inmate free of charge.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Center Policy 10.2
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Phone interview with Family Services Alliance
Interviews with Medical and Mental Health Practitioners
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

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

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

115.83 (a)

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

115.83 (b)

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

115.83 (c)

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

115.83 (d)

- Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if “all-male” facility. *Note: in “all-male” facilities, there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.*) Yes No NA

115.83 (e)

- If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if “all-male” facility. *Note: in “all-male” facilities, there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.*) Yes No NA

115.83 (f)

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

115.83 (g)

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

115.83 (h)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.83(a - c) Bannock County Detention Center Policy 10.2 requires medical 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. However, they will not make the appointment for the inmate. The Bannock County Detention Center reported that, during the past twelve months, there have been no inmates that have requested referrals for continuing care upon release from the facility.

115.83(d - f) 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. The Bannock County Detention Center reported that, during the past twelve months, there have been no inmates who requested or showed a need for any of these services

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

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Center Policy 10.2
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Interviews with Medical and Mental Health practitioners
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

DATA COLLECTION AND REVIEW

Standard 115.86: Sexual abuse incident reviews

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

115.86 (a)

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

115.86 (b)

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

115.86 (c)

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

115.86 (d)

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

115.86 (e)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.86(a) Bannock County Detention Policy 10.4 requires that a review team will review each incident of sexual abuse or sexual harassment that was investigated in the facility, unless the incident is unfounded.

115.86(b - c) The Review Team consists of one person from medical or mental health, one Detention Investigator or Supervisor, and the PREA Coordinator who is an upper level management official, or the PREA Assistant Coordinator or a Lieutenant. The Review Team will accept input from line supervisors, and medical or mental health practitioners. The review occurs within 30 days of the incident.

115.86(d) The focus of the review is to determine if there are corrective actions required to prevent future incidents. The Bannock County Detention Center has a very detailed checklist to do for the review. The review team will prepare a report of its finding, determinations, and suggestions for improvement and will forward the report to the Jail Administrator. The auditor was given documentation of twelve incident reviews and determinations and all were very detailed

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

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Bannock County Detention Center Policy 10.4
- Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
- Documentation of Incident Reviews
- Interviews with investigative staff
- Interview with the PREA Coordinator's Assistant
- Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

Standard 115.87: Data collection

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

115.87 (a)

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

115.87 (b)

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

115.87 (c)

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

115.87 (d)

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

115.87 (e)

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

115.87 (f)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.87(a) Bannock County Detention Center Policy 10.3 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 standardized instrument is the actual survey form and the auditor was able to review the data collected to date.

115.87(b) Policy directs the Detention Administrator to aggregate the data annually.

115.87(d) The Bannock County Detention Center policy and practice requires the collection of the data in accordance with this standard.

115.87(f) The Bannock County Detention Center has sent the information on the survey form to the Department of Justice in past years, when requested.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Policy 10.3
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Bannock County Sheriff's Office website: www.bannockcounty.us/sheriff
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

Standard 115.88: Data review for corrective action

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

115.88 (a)

- Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas? Yes No
- Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?
 Yes No

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

115.88 (b)

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

115.88 (c)

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

115.88 (d)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.88(a - b) An interview with Capt. Tad Bybee, PREA Coordinator and Jail Administrator revealed that the first annual report was produced in January of 2016 and the report demonstrated compliance with this standard. A report has been written in January of every year since and the report is very comprehensive while leaving out personally identifying information and demonstrates compliance each year. The last report was written in January of 2019 and a report for 2019 will be written in January of 2020.

115.88(c) An interview with Sheriff Lorin Nielsen confirmed that the annual report is approved by him and the report has been made available to the public on the Sheriff's website: www.bannockcounty.us/sheriff . The auditor verified that the annual reports are on the website.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Center Policy 10.3
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Annual PREA aggregated data report for calendar years 2015 - 2019
Bannock County Sheriff's website: www.bannockcounty.us/sheriff
Interview with Sheriff Lorin Nielsen
Interview with Capt. Tad Bybee, PREA Coordinator/Jail Administrator

Standard 115.89: Data storage, publication, and destruction

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

115.89 (a)

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

115.89 (b)

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

115.89 (c)

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

115.89 (d)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

115.89(a and d) Bannock County Detention Center Policy 10.3 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.

115.89(b - c) An interview with Capt. Tad Bybee, PREA Coordinator and Jail Administrator, confirmed that the first annual report was produced in January of 2016 covering calendar year 2015 and an annual report has been written every year since then with the last report in 2019. A report for 2019 will be written in January 2020. All personal identifiers were removed before posting the report on the Bannock County Sheriff's Office website. The report can be obtained on the website or through a public records request.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Bannock County Detention Center Policy 10.3
Completed Pre-Audit Questionnaire submitted by Capt. Tad Bybee
Annual PREA aggregated data reports for calendar years 2015 - 2018
Bannock County Sheriff's website: www.bannockcounty.us/sheriff
Interview with Sheriff Lorin Nielsen
Interview with Capt. Tad Bybee, Jail Administrator/PREA Coordinator

AUDITING AND CORRECTIVE ACTION

Standard 115.401: Frequency and scope of audits

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

115.401 (a)

- During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (*Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.*) Yes No

115.401 (b)

- Is this the first year of the current audit cycle? (*Note: a "no" response does not impact overall compliance with this standard.*) Yes No
- If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is **not** the *second* year of the current audit cycle.) Yes No NA
- If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is **not** the *third* year of the current audit cycle.) Yes No NA

115.401 (h)

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

115.401 (i)

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

115.401 (m)

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

115.401 (n)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

The auditor finds that the Bannock County Detention Center is fully compliant in all of the PREA standards. The auditor reviewed policies and procedures, supporting documentation, inmate records, staff records, PREA investigation reports, training curriculums, risk screenings, classification records, and many more documents. The auditor also relied on random staff, specialty staff, special population inmates, and random inmate confidential interviews. After the onsite visit, the auditor contacted the Family Services Alliance of Southeast Idaho and interviewed them as to the services they provide.

The auditor has written a comprehensive description of what was relied on to find the standards in compliance.

Standard 115.403: Audit contents and findings

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

115.403 (f)

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

Auditor Overall Compliance Determination

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

Instructions for Overall Compliance Determination Narrative

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

The auditor finds that the Bannock County Detention Center is fully compliant in all of the PREA standards. The auditor reviewed policies and procedures, supporting documentation, inmate records, staff records, PREA investigation reports, training curriculums, risk screenings, classification records, and many more documents. The auditor also relied on random staff, specialty staff, special population inmates, and random inmate confidential interviews. After the onsite visit, the auditor contacted the Family Services Alliance of Southeast Idaho and interviewed them as to the services they provide.

The auditor has written a comprehensive description of what was relied on to find the standards in compliance.

AUDITOR CERTIFICATION

I certify that:

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

Auditor Instructions:

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

Cynthia Malm

December 3, 2019

Auditor Signature

Date

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

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