

# PREA AUDIT: AUDITOR'S SUMMARY REPORT

## ADULT PRISONS & JAILS

Interim     Final Report

### Auditor Information

**Auditor name:** Katherine Brown

**Address:** 12121 Little Road Suite 286 Hudson, Florida 34667

**Email:** kbrown2828@yahoo.com

**Telephone number:** 727-470-4123

**Date of facility visit:** March 22-23, 2016

**Date report submitted:** March 24, 2016

### Facility Information

**Name of facility:** Leon County Jail

**Physical address:** 535 Appleyard Drive Tallahassee Florida 323004

**Facility mailing address:** N/A

**Telephone number:**

<b>Leon County Jail is:</b>	<input type="checkbox"/> Military	<input checked="" type="checkbox"/> County	<input type="checkbox"/> Federal
	<input type="checkbox"/> Private for profit	<input type="checkbox"/> Municipal	<input type="checkbox"/> State
	<input type="checkbox"/> Private not for profit		

**Facility Type:**  Jail     Prison

<b>Name of facility's Chief Executive Officer:</b> John Schmidt	<b>Title:</b>	Major/Jail Admin
---	---------------	------------------

**Number of staff assigned to Leon County Jail in the last 12 months:** 270

**Designed facility capacity:** 1427

**Current population of facility:** 1142

**Facility security levels/inmate custody levels:** Maximum, Close, Medium, Minimum

**Age range of the population:** 15-82

<b>Name of PREA Compliance Manager:</b> Tim Ruth	<b>Title:</b>	PREA Coordinator
--	---------------	------------------

<b>Email address:</b> <a href="mailto:RuthT@leoncountyfl.gov">RuthT@leoncountyfl.gov</a>	<b>Telephone #</b>	850-606-3688
--	--------------------	--------------

### Agency Information

**Name of agency:** Leon County Sheriff Office

**Governing authority or parent agency:** same

**Physical address:** 535 Appleyard Drive Tallahassee Florida 32304

**Mailing address:** PO Box 727 Tallahassee Florida 32302

**Telephone number:** 850-606-3500

### Agency Chief Executive Officer

<b>Name:</b> Mike Wood	<b>Title:</b>	Sheriff
------------------------	---------------	---------

<b>Email address:</b> <a href="mailto:WoodM@leoncountyfl.gov">WoodM@leoncountyfl.gov</a>	<b>Telephone number:</b>	850-6060-3688
--	--------------------------	---------------

# AUDIT FINDINGS

## NARRATIVE:

The audit of the Leon County Jail was conducted on March 22 & 23, 2016 by Katherine Brown, Certified PREA auditor. The areas toured were a total of 16 housing units. There are 15 general population units and one administrative detention/segregation unit plus the kitchen, laundry, programs area, and work areas toured.

An entrance meeting was held with facility staff. The following people were in attendance: Major John Schhmidt, Jail Director; Captain Chuck Davis; Captain Kim Peterson; Captian David Walker; Lieutenant Ed Lee, Facility Investigator; Lt. Leod Davis, Case Management Supervisor; Lt. Jason lee, Work Camp Supervisor; Lt. Craig Carroll, Accreditation manager; lt. Tyler Bush, Itanke, Release Supervisor; Lt. Norman Mack, Intake Release; Lt. Dennis Rathman, Watch Commander Squad III; Sgt. Dianne Sherffield, Inmate Services and Tim Ruth, PREA Coordinator.

Following the entrance meeting I toured the Leon County Jail from 0900 - 1115. On the tour with me was, Lt. Ed Lee, Facility Investigator; Lt. Dennis Rathman, Watch commander Squad III and Tim Ruth, PREA Coordinator. On the tour I observed all notices posted in the housing units and cross gender announcements were made in all housing unit. The juveniles are separated from the adult population and are in their own dorm out of sight and sound of the adult population. I observed the junveiles being escorted to education classes and there is always an officer with them.

I asked for an alpha listing of all inmates housed at Leon County Jail and randomly selected 33 inmates. I asked for any inmate who were limited English speaking or had hearing/vision impairment to be interviewed. There were no hearing/vision impairment inmates or limited English speaking inmate. I also asked for any inmate who was transgender/intersex, there was one transgender interviewed. I also asked for a shift roster and randomly selected 15 staff to interview and 17 specialized staff were interviewed. I received on letter from an inmate which I talked with. His compliant was double bunking. He stated the facility was originally designed as single cells and they have double bunked them and he feels this creates "homosexual behavior". I asked if he had a problem with his cell mate which he replied he did not. I asked if he knew how to report a problem if he had one and he confimed through the interview he was aware of the reporting procedures. I explained the standards did not require jails to be single cell and he said "well OK I still think this promotes homosexual behavior." We concluded the interview.

There were 9 total allegations received between 02/19/2015 and 02/12/2016. 6 inmate on inmate sexual assault of which 4 were unfounded based on either no suspect named (inmates have mental health issues) 1 unsubstantiated due to lack of evidence and 1 currently under investigation. 2 reported cases of staff on inmate sexual abuse that were unfounded due to allegations were made when officers were performing legal pat-down searches. There was 1 reported case of inmate on inmate sexual harassment that was determined to be unfounded due to lack of evidence.

## DESCRIPTION OF FACILITY CHARACTERISTICS:

Leon County Jail is a direct supervision facility with a rated capacity of 1,276 beds. The count the day of the audit was 1,037. The housing area consists of 16 separate pods housing up to 93 inmates, including three dormitories holding up to 64 inmates. Female inmates are housed in Pods A and B while female juveniles are housed in Pod F2. The male juveniles are housed in Pod N. Male, female and juvenile's offenders are separated beyond normal sight and sound.

The building is monitored and operated by a central control room and four control rooms that employ touch screen security systems to operate doors, cameras and intercoms throughout Leon County Jail. The central control room is staffed at all times by two certified correctional officers and is the central monitoring point for all safety/fire and environmental control systems.

## SUMMARY OF AUDIT FINDINGS:

Number of standards exceeded: 5

Number of standards met: 35

Number of standards not met:

Number of standards not applicable: 3

<b>§115.11</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>
----------------	---

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

### **Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 C; PREA Manual A.1 and Organizational Chart and interview with PREA compliance manager I find they meet this standard.

Leon County Sheriff Office has a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment and outlines Leon County Sheriff Office's approach to preventing, detecting, and responding to such conduct. Not only is this addressed in SOP 450.K15 but it is posted throughout the facility.

Leon County Sheriff Office designates an upper-level, agency-wide PREA compliance manager that reports to the Major. He has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards.

**§115.12 Contracting with other agencies for confinement of inmates**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Leon County Sheriff Office does not contract with other facilities for the confinement of their inmates.

**§115.13 Supervision and monitoring**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 E.2; PREA Manual A2; Annual Staffing review; Housing Bureau Roster; Operation Bureau Roster 2016; Support Services Roster 2016 and Housing Squad Calendar and on interview with Major I find they meet this standard.

Leon County Sheriff Office has developed, documented, and made its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing and uses video monitoring, to protect inmates against sexual abuse. Per the interview with the Major there are Mission Critical post that must be filled and overtime is used to fill these posts. There are a total of 42 posts on days and 28 posts on nights.

In circumstances where the staffing plan was not complied with, Leon County Jail documented and justified all deviations from the plan. All deviations are documented on the Housing Bureau Roster.

Leon County Sheriff Office completes an annual review, in consultation with the PREA coordinator required by § 115.11, to assess, determine, and document whether adjustments are needed.

Supervises conducted unannounced rounds that are logged in the computer.

**§115.14 Youthful inmates**

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 E.2 and PREA Manual A.4 I find they meet this standard.

A youthful inmate is not placed 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 areas or sleeping quarters. Female juveniles are housed in Pod F2. The male juveniles are housed in Pod N. Male, female and juvenile's offenders are separated beyond normal sight and sound.

In areas outside of housing units, officers maintain sight and sound separation between youthful inmates and adult inmates.

<b>§115.15</b>	<b>Limits to cross gender viewing and searches</b>
----------------	--

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 E.4 and PREA Manual A.5;B.1.c. I find they meet this standard.

Leon County Jail does not conduct cross gender searches.

Leon County Jail does not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances. In the event a cross gender search is done Leon County Jail documents all cross-gender strip searches and cross-gender visual body cavity searches. This was confirmed during random staff interviews. No cross gender searches have been conducted.

Leon County Jail has policies and procedures that enable 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. Such policies and procedures require staff of the opposite gender to announce their presence when entering an inmate housing unit. Inmates during the interviews confirmed they had privacy to perform normal bodily functions. Opposite gender announcements were confirmed on the tour and during random staff and inmate interviews. Female officers do not work male housing units and male officers do not work female housing units. Medical and commissary staff do not actually come into the housing units they dispense from an adjoining room with role up doors. Female supervisors are usually the only females that come into the unit and they are conducting the unannounced rounds.

Leon County Jail does not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it is determined 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. During interview with one transgender she confirmed this practice.

Leon County Sheriff Office trains security staff in how to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

**§115.16 Inmates with disabilities and limited English speaking**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 E.5; PREA Manual A.6; Video – English/Spanish/Sign Language; PREA Pamphlet English/Spanish and Bi-Lingual Translators and random inmate and staff interviews I find they meet this standard.

There were no limited English speaking inmates however there are policies in place that address the following:

Leon County Sheriff Office takes appropriate steps to ensure inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of Leon County Sheriff Office’s efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

Leon County Sheriff Office does not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate’s safety. None have been used or required, however during random staff interviews it was confirmed they would not use inmate interpreters. Leon County Sheriff Office has a list of bi-lingual staff and also have a contract with the Language Line.

**§115.17 Hiring and promotion decisions**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of 450.K15 E. 6 and PREA Manual A. 7. And interview with Human Resource Director, LiveScan fingerprints and review of personnel files I find they exceed this standard.

Leon County Sheriff Office does not hire or promote anyone who may have contact with inmates, and does not enlist the services of any contractor who may have contact with inmates, who has engaged in sexual abuse in any criminal justice facility, 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; or has been civilly or administratively adjudicated to have engaged in the activity described above. Reviewed Personnel & Training Unit interview Report which asks the PREA related questions.

Leon County Sheriff Office considers any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.

Leon County Sheriff Office performs a criminal background records check before enlisting the services of any contractor who may have contact with inmates. All staff/contractors are fingerprinted through LiveScan which checks the FCIC/NCIC for charges. If any staff/contractor gets arrested a notification is made to the Personnel Director identifying the charges and who committed the offense. This is immediate notification. Based on the immediate notification I find they exceed this standard.

<b>§115.18</b> <b>Upgrades to facilities and technology</b>
---

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

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of PREA Manual A.8. and interview with Major I find they meet this standard.

When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, Leon County Sheriff Office considers how such technology may enhance Leon County Sheriff Office's ability to protect inmates from sexual abuse. There have been no substantial or modifications to existing facilities. Leon County Sheriff Office has added new cameras and monitoring equipment to pod E-1 and has updated the existing cameras throughout the jail facility and installed new monitoring equipment in central control and the unit control rooms. There are a total of 227 cameras throughout the facility.

<b>§115.21</b> <b>Evidence protocol and forensic medical exams</b>
--

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

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of PREA Manual A.9; General Order 41.12 Sexual Violence and General Order 84.1 Property and Evidence Management and interview with SANE/SAFE staff and PREA compliance manager I find they meet this standard.

To the extent Leon County Sheriff Office is responsible for investigating allegations of sexual abuse; Leon County Sheriff Office follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions. The Leon County Sheriff Office Violent Crimes Unit investigates all criminal cases and Leon County Jail facility investigators investigates all administrative investigations unless it is determined to be criminal at which time it is turned over to Professional Standards.

Leon County Sheriff Office offers all victims of sexual abuse access to forensic medical examinations, at an outside facility, without financial cost, where evidentiary or medically appropriate. Such examinations are performed by Sexual Assault Nurse Examiners (SANEs) from Tallahassee Memorial Hospital.

Leon County Sheriff Office makes available to the victim a victim advocate from Refuge House.

As requested by the victim, a victim advocate from either Refuge House or Leon County Sheriff Office Victim Advocate Unit accompanies and supports the victim through the forensic medical examination process and investigatory interviews and are provide emotional support, crisis intervention, information, and referrals.

<b>§115.22</b>	<b>Policies to ensure referrals of allegations for investigations</b>
----------------	---

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 E.7 and PREA Manual A.10 and interview with Major and investigative staff I find they meet this standard.

Leon County Sheriff Office ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.

Leon County Sheriff Office policy 450.K15 that ensures allegations of sexual abuse or sexual harassment are referred to Leon County Sheriff Office Violent Crimes Unit, for investigation that has the legal authority to conduct criminal investigations. Leon County Sheriff Office publishes such policy on its website [www.leoncountyso.com](http://www.leoncountyso.com)

<b>§115.31</b>	<b>Employee training</b>
----------------	--------------------------

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 E.8; PREA Manual B.1; Sexual Abuse PowerPoint and lesson plan and interview with random staff I find they exceed in this standard.

Leon County Sheriff Office trains all employees who have contact with inmates on:

- (1) Its zero-tolerance policy for sexual abuse and sexual harassment;
- (2) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;
- (3) Inmates’ right to be free from sexual abuse and sexual harassment;
- (4) The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
- (5) The dynamics of sexual abuse and sexual harassment in confinement;
- (6) The common reactions of sexual abuse and sexual harassment victims;
- (7) How to detect and respond to signs of threatened and actual sexual abuse;
- (8) How to avoid inappropriate relationships with inmates;
- (9) How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and
- (10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

At all housing post locations the officers have Quick Series PREA Guide that they can refer to if needed. Also all staff are given the Quick Series Staff 1<sup>st</sup> Responder duties card.

The training is tailored to the gender of the inmates at Leon County Jail. The employees receive additional training if the employee is reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa.

Leon County Sheriff Office documents, through employee electronic verification in Power DMS, those employees understand the training they have received.

Based on the staff interviewed and the training the staff have as well as the Quick Series guide and the 1<sup>st</sup> Responder Card I find they exceed in this standard.

**§115.32 Volunteer and contractors training**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of PREA Manual B.2. and interview with volunteer and contractors I find they meet this standard.

Leon County Sheriff Office ensures all volunteers and contractors who have contact with inmates have been trained on their responsibilities under Leon County Sheriff Office’s sexual abuse and sexual harassment prevention, detection, and response policies and procedures. Interviews with volunteers and contractors confirmed they have received this training. The Medical staff are employed by Corizon who provides them with PREA training as well as they

take the Leon County Sheriff office training. The kitchen staff are employed by Aramark and they have all attended Leon County Sheriff Office training.

The level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with inmates, but all volunteers and contractors who have contact with inmates are notified of Leon County Sheriff Office's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.

Leon County Sheriff Office has training printout confirming that volunteers and contractors understand the training they have received.

<b>§115.33</b> <b>Inmate education</b>
--

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 E.10; PREA Manual B.3; PREA Video English/Spanish/Sign Language; Pamphlet; Lesson Plan; Training documented in Inmate Case Management System; PREA Training detail report; PREA Signage; Inmate Handbook and Sexual Abuse/Battery Prevention & Intervention handout and interviews with random inmates and intake staff I find they exceed this standard.

During the intake process, inmates receive the Sexual Abuse/Battery Prevention & Intervention handout explaining Leon County Sheriff Office's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment.

Within 24 hours of intake, Leon County Sheriff Office Case Managers provides a comprehensive education to inmates in person and through video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents.

Leon County Sheriff Office provides inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. There is documentation of inmate participation in these education sessions which is logged in the inmate management system.

Based on the level of training and material provide as well as the comprehensive training being provided within 24 hours I find they exceed this standard.

<b>§115.34</b> <b>Specialized training: Investigators</b>
---

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of PREA Manual B.3; LCSO General Order 42.1 Criminal Investigations; List of Training; PREA Resource Center Specialized Training: Investigating Sexual Abuse In Correctional Setting Module 2, 5,7,8 &9; Module 1 PREA Update & Investigations Standards; Module 3 Investigations & Agency Culture; Module 4 Trauma & Victim Responses and Module 6 First Response & Evidence Collection and interview with investigative staff I find they exceed this standard.

In addition to the general training provided to all employees Leon County Sheriff Office ensures that the in house investigators have received training in conducting investigations in confinement settings.

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. Leon County Sheriff Office maintains documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations.

Based on review of training records and the extensive training the investigators have received and review of the thoroughness of the investigations I find they exceed this standard.

**§115.35 Specialized training: Medical and mental health care**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 E.9; PREA Manual B.4; Corizons lesson plan and interview with medical and mental health staff I find they meet this standard.

Leon County Sheriff Office ensures 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; preserve physical evidence of sexual abuse; respond effectively and professionally to victims of sexual abuse and sexual harassment; and how and to whom to report allegations or suspicions of sexual abuse and sexual harassment. Corizon is the medical provider at Leon County Sheriff Office and they conduct training on PREA as well as the PREA training the Leon County Sheriff Office provides.

Leon County Sheriff Office maintains attendance rosters that document medical and mental health practitioners have received the training.

Medical and mental health care practitioners also receive the training mandated for employees, contractors and volunteers.

**§115.41 Screening for risk of victimization and abusiveness**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

### **Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 E.11; PREA Manual C.1 and PREA Intake Questionnaire Screening shot and interview with random inmates and intake staff responsible for screening I find they meet this standard.

All inmates are assessed during an intake screening and upon transfer to another facility for risk of being sexually abused by other inmates or sexually abusive toward other inmates.

Intake screenings take place with 24 hours at Leon County Jail. Case Managers work Monday-Friday and Sunday is Overtime to ensure the screening takes place within 24 hours.

Leon County Jail uses the PREA Intake Questionnaire which is an objective screening instrument.

The PREA intake Questionnaire screening considers, 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;
- (2) The age of the inmate;
- (3) The physical build of the inmate;
- (4) Whether the inmate has previously been incarcerated;
- (5) Whether the inmate's criminal history is exclusively nonviolent;
- (6) Whether the inmate has prior convictions for sex offenses against an adult or child;
- (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
- (8) Whether the inmate has previously experienced sexual victimization;
- (9) The inmate's own perception of vulnerability; and
- (10) Whether the inmate is detained solely for civil immigration purposes.

The initial screening considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to Leon County Sheriff Office, in assessing inmates for risk of being sexually abusive. These inmates are placed in designate housing units for aggressive behavior.

Within 30 days from the inmate's arrival at Leon County Jail, Leon County Jail reassesses the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by Leon County Jail since the intake screening.

An inmate's risk level is reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness. Upon receive information from incident reports or referrals from mental health an inmates risk level is reassessed as warranted.

Inmates are not disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked.

Leon County Sheriff Office implements appropriate controls on the dissemination within Leon County Jail 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. Only limited staff has access to the risk screening form only Medical, Mental Health; Case Managers; Major as well as PREA Manager.

<b>§115.42</b>	<b>Use of screening information</b>
----------------	-------------------------------------

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

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 E.11; PREA Manual C.2; PREA Risk Screening; Inmate Case Management Notes and PREA Intake Screening sheet and interview with PREA compliance manager and staff responsible for risk screening I find they meet this standard.

Leon County Sheriff Office uses information from the risk screening to decide housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.

Leon County Sheriff Office makes individualized determinations about how to ensure the safety of each inmate.

In deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, and in making other housing and programming assignments, Leon County Sheriff Office considers on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether the placement would present management or security problems. The Case Manager, PREA Compliance Manger and the Sheriff meets with each transgender to discuss their feelings on where they want to be housed. This was confirmed during the interview with the one transgender they had.

Placement and programming assignments for each transgender or intersex inmate is reassessed at least twice each year to review any threats to safety experienced by the inmate.

A transgender or intersex inmate's own views with respect to his or her own safety are given serious consideration.

Transgender and intersex inmates are given the opportunity to shower separately from other inmates.

Leon County Sheriff Office does not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such 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 such inmates.

<b>§115.43</b>	<b>Protective custody</b>
----------------	---------------------------

- Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of PREA Manual C.3; 30 day review and interview with Major I find they meet this standard.

Inmates at high risk for sexual victimization are not placed 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. Per the interview with the Major no inmate would be placed in involuntary segregation if other housing locations are available.

Inmates placed in segregated housing for this purpose have access to programs, privileges, education, and work opportunities to the extent possible. If Leon County Jail restricts access to programs, privileges, education, or work opportunities, Leon County Jail documents the opportunities that have been limited, the duration of the limitation; and the reasons for such limitations. Based on the interview with the Major any inmate placed in segregated housing for a PREA related incident receive all the same programs and privileges as general population inmates.

Leon County Jail assigns such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment does not ordinarily exceed a period of 30 days. If involuntary segregated housing assignment is made Leon County Jail clearly documents the basis for Leon County Jail's concern for the inmate's safety; and the reason why no alternative means of separation can be arranged. Every 30 days a review is performed to determine whether there is a continuing need for separation from the general population.

<b>§115.51</b>	<b>Inmate reporting</b>
----------------	-------------------------

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 E.12; PREA Manual D.1; Sexual Battery Prevention & Reporting handout; PREA Signage; Inmate Handbook and Inmate Sexual Abuse power point and interviews with random staff and inmates I find they meet this standard.

Leon County Sheriff Office provides multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. Inmates can contact any staff member, case managers, write an inmate request form or write a medical request.

Leon County Sheriff Office provides at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of Leon County Sheriff Office, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. Inmates can contact the Florida Council Against Sexual Violence and Florida Network of Victim Services, Inc. The numbers for these agencies are posted in all housing units.

Staff accepts reports made verbally, in writing, anonymously, and from third parties and promptly document any verbal reports.

Leon County Sheriff Office provides a method for staff to privately report sexual abuse and sexual harassment of inmates. Staff can report on the Leon County website [www.leoncountysos.com](http://www.leoncountysos.com).

<b>§115.52</b>	<b>Exhaustion of administrative remedies</b>
----------------	--

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

**Auditor comments, including corrective actions needed if does not meet standard**

Leon County Sheriff Office is exempt from this standard due to not having an administrative procedure to address inmate's grievances regarding sexual abuse.

<b>§115.53</b>	<b>Inmate access to outside confidential support services</b>
----------------	---

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

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.515 E.13; PREA Manual D.3. and interview with random inmates I find they meet this standard.

Leon County Jail provides 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. Leon County Jail enables reasonable communication between inmates and The Refuge House, in as confidential a manner as possible.

Leon County Jail informs 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.

Leon County Sheriff Office maintains a memoranda of understanding with the Refuge House.

**§115.54 Third party reporting**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of PREA Manual D.4 and Informational Brochure I find they meet this standard.

Leon County Sheriff Office has a method to receive third-party reports of sexual abuse/harassment and distributes publicly, information on how to report sexual abuse and sexual harassment on behalf of an inmate. Visitors can go to [www.leoncountyso.com](http://www.leoncountyso.com).

**§115.61 Staff and agency reporting duties**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on review of SOP 450.K15 E.13 and PREA Manual E.1 and interviews with random staff; Major and medical/mental health staff I find they meet this standard.

Leon County Sheriff Office requires 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 Leon County Sheriff Office; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

Apart from reporting to designated supervisors or officials, staff does not reveal 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.

If the alleged victim is under the age of 18 or considered a vulnerable adult under a Florida State Statute 415.101-113. , Leon County Sheriff Office reports the allegation to the designated State or local services agency under applicable mandatory reporting laws.

Leon County Jail reports all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to Leon County Jail's designated investigators.

**§115.62 Agency protection duties**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of 450.K15 E.13 and PREA Manual E.2 and interviews with random staff, and Major I find they meet this standard.

There have been no incidents where an inmate was subject to a substantial risk of imminent sexual abuse.

Immediate action is taken to protect inmates when Leon County Sheriff Office learns that an inmate is subject to a substantial risk of imminent sexual abuse.

**§115.63 Reporting to other confinement facilities**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 E.13; PREA Manual E.3; 2014 report to another facility and interview with Major I find they meet this standard.

There have been no reported cases of an inmate claiming they were abused while confined at another facility in 2015. There was one case in 2014 that I reviewed and found proper notification was made.

Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of Leon County Jail that received the allegation notifies the head of Leon County Jail or appropriate office of Leon County Sheriff Office where the alleged abuse occurred. Such notification is provided as soon as possible, but no later than 72 hours after receiving the allegation, and all actions are thoroughly documented.

**§115.64 Staff first responder duties**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 E.14; PREA Manual E.4 and interview with security staff who are first responders and random staff I find they meet this standard.

Upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond separates the alleged victim and abuser; preserves and protects any crime scene until appropriate steps can be taken to collect any evidence; and 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 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. All housing units have Quick Series PREA –Guide at their posts and all officers are given Staff 1<sup>st</sup> Responder duties card. During the random staff interviews they confirmed they had the Staff 1<sup>st</sup> Responder cards, because they used them during the interview to reference.

If the first staff responder is not a security staff member, the responder request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff. During the interviews Contract providers and volunteers confirmed they knew the actions to take if they were the first responders.

**§115.65 Coordinated response**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of PREA Manual E.5; Coordinated Response Plan and interview with Major I find they meet this standard.

Leon County Jail has a written Coordinated Response plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership.

**§115.66 Preservation of ability to protect inmates from contact with abusers**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed PREA Manual E.6. **Based on interview with agency head**

Leon County Sheriff Office does not have Collective Bargaining.

§115.67	<b>Agency protection against retaliation</b>
---------	--

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

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of 450.K15 E.15; PREA Manual E.7 and interview with Major and designated staff member charged with monitoring retaliation I find they meet this standard.

There have been no reported incidents of retaliation in the past 12 months, however their policy 450.K15 addresses the following;

Leon County Sheriff Office has 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, and designate which staff members or departments are charged with monitoring retaliation.

Leon County Sheriff Office has 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 that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

For at least 90 days following a report of sexual abuse, Leon County Sheriff Office monitors the conduct and treatment of inmates or staff who reported the sexual abuse and 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, and act promptly to remedy any such retaliation. There is periodic status checks performed. Items Leon County Sheriff Office should monitor include any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. Leon County Sheriff Office continues such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

If any other individual who cooperates with an investigation expresses a fear of retaliation, Leon County Sheriff Office takes appropriate measures to protect that individual against retaliation.

§115.68	<b>Post allegation protective custody</b>
---------	---

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of PREA Manual E.8 and Inmate Event Log and interview with Major I find they meet this standard.

No inmate has been placed in segregation for protective custody however policy states "Any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse receives all the same rights and privileges as general population inmates."

§115.71

**Criminal and administrative agency investigation**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15; PREA Manual F. 1-5. and interview with investigative staff I find they meet this standard.

When Leon County Sheriff Office conducts its own investigations into allegations of sexual abuse and sexual harassment, it does so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports. Review of the investigation files confirmed that the investigations were promptly, thoroughly and objectively written.

Where sexual abuse is alleged, Leon County Sheriff Office uses investigators who have received special training in sexual abuse investigations. Reviewed investigations of sexual abuse and harassment.

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.

When the quality of evidence appears to support criminal prosecution, Leon County Sheriff Office Violent Crimes Unit conducts compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution. There were no allegations that appeared to be criminal referred for prosecution between August 2012 to present.

Based on interview with investigators the credibility of an alleged victim, suspect, or witness is assessed on an individual basis and is not determined by the person's status as inmate or staff. No agency requires an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation.

Administrative investigations are conduct by facility investigators unless it is criminal and then the case is turned over to Professional Standards and include efforts to determine whether staff actions or failures to act contributed to the abuse; and are documented in written reports that

contain a thorough description of physical, testimonial, and documentary evidence, the reasoning behind credibility assessments, and investigative facts and findings, and attaches copies of all documentary evidence where feasible.

Substantiated allegations of conduct that appears to be criminal are referred for prosecution to the Leon County Sheriff Office Violent Crimes Unit.

Leon County Sheriff Office retains all written reports for as long as the alleged abuser is incarcerated or employed by Leon County Sheriff Office, plus five years.

The departure of the alleged abuser or victim from the employment or control of Leon County Jail or agency does not provide a basis for terminating an investigation.

§115.72	<b>Evidentiary standard for administrative investigation</b>
---------	--

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 E.16 and PREA Manual F.6. and interview with investigative staff I find they meet this standard.

Leon County Sheriff Office imposes no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

§115.73	<b>Reporting to inmates</b>
---------	-----------------------------

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 E.17 and PREA Manual F. 7-9. and interview with Major and investigative staff I find they meet this standard.

Following an investigation into an inmate's allegation that they suffered sexual abuse in an agency facility, Leon County Sheriff Office informs the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.

If Leon County Sheriff Office did not conduct the investigation, it requests the relevant information from the investigative agency in order to inform the inmate.

Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, Leon County Sheriff Office subsequently informs the inmate using the Leon County Jail

Notification Letter (unless Leon County Sheriff Office has determined that the allegation is unfounded) whenever the staff member is no longer posted within the inmate's unit; the staff member is no longer employed at Leon County Jail; Leon County Sheriff Office learns that the staff member has been indicted on a charge related to sexual abuse within Leon County Jail; or Leon County Sheriff Office learns that the staff member has been convicted on a charge related to sexual abuse within Leon County Jail.

Following an inmate's allegation that they had been sexually abused by another inmate, Leon County Sheriff Office subsequently informs the alleged victim using the Leon County Jail Notification Letter whenever Leon County Sheriff Office learns that the alleged abuser has been indicted on a charge related to sexual abuse within Leon County Jail; or Leon County Sheriff Office learns that the alleged abuser has been convicted on a charge related to sexual abuse within Leon County Jail.

All such notifications or attempted notifications are documented.

An agency's obligation to report under this standard is terminated if the inmate is released from Leon County Sheriff Office's custody.

§115.76	<b>Disciplinary sanctions for staff</b>
---------	---

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of General Order 26.1 Disciplinary Procedures & standards; SOP 450.K15 E.18; General Order 52.1 and PREA Manual G.1 I find the meet this standard.

There have been no instances of violations by staff.

Staff is subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. Termination is the presumptive disciplinary sanction for staff who has engaged in sexual abuse.

Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are 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.

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, are reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.

§115.77	<b>Corrective action for contractors and volunteers</b>
---------	---

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of PREA Manual G.3 and SOP 450.K15 section 18 b.2. and interview with Major I find they meet this standard.

There have been no PREA related incidents involving contractors or volunteers.

Any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmates and are reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.

Leon County Jail takes appropriate remedial measures, and considers whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.

§115.78	<b>Disciplinary sanctions for inmates</b>
---------	---

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 E.18; SOP 450 G.1 Inmate Rules & Discipline and PREA Manual G2 & G4. and interview with medical/mental health staff I find they meet this standard.

There have been no inmates engaging in inmate on inmate sexual abuse, however there are policies in place that address the following:

Inmates are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse.

Sanctions are 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.

The disciplinary process considers whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.

Leon County Jail offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, Leon County Jail considers whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits. Leon county Jail has one counselor employed by Corizon that

provides all counseling services to the inmate population. One on one talk therapy is provided as well as PTSD treatment provided by the Psychiatrist who comes once a week.

Leon County Sheriff Office disciplines an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact.

A report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred does not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.

Leon County Sheriff Office prohibits all sexual activity between inmates and may discipline inmates for such activity.

§115.81

**Medical and Mental health screening; history of sexual abuse**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 E.19; PREA Manual H.1 and Nurse Encounter Tool: Victim of Violent Incident and interview with staff responsible for risk screening and medical/mental health staff I find they meet this standard.

If the screening indicates that an inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, 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. Reviewed one case file involving prior sexual victimization and a follow up was conducted within two days of intake.

The screening for victimization and abusiveness is performed twice, once by the booking nurse and then again during the Physical. If any inmate admits to prior sexual victimization/abusiveness they are referred to mental health. Mental health counselor will see these inmate usually within 24-48 hours.

If the screening indicates that an inmate has previously perpetrated sexual abuse/prior sexual victimization, whether it occurred in an institutional setting or in the community, staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening.

Any information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law.

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.

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 and PREA Manual H.2 & H.3 and interview with medical and mental health staff I find they meet this standard.

No inmate has been a victim of sexual abuse however there are policies in place that address the following:

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. Inmates are treated at Tallahassee Memorial Hospital

If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders take preliminary steps to protect the victim and immediately notify the appropriate medical and mental health practitioners.

Inmate victims of sexual abuse while incarcerated are 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.

Treatment services are 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.

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 E.21 and PREA Manual H.3. and interview with medical/mental health staff I find they meet this standard.

No inmate has been a victim of sexual abuse at the Leon County Jail, however there are policies in place that address the following:

Leon County Jail offers 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.

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.

Leon County Jail provides such victims with medical and mental health services consistent with the community level of care.

Inmate victims of sexually abusive vaginal penetration while incarcerated are offered pregnancy tests. If pregnancy results victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.

Inmate victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate.

Treatment services are 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.

§115.86	<b>Sexual abuse incident reviews</b>
---------	--------------------------------------

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

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of SOP 450.K15 E. 22; PREA Manual I. 1 and reviewed 2 PREA Sexual Allegation Incident Review forms and interviews with Major, PREA compliance manager; incident review team I find they meet this standard.

Leon County Jail conducts 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. This review occurs within 30 days of the conclusion of the investigation. The review team includes upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners. This practice was confirmed during the review of the investigative files.

The review team considers whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at Leon County Jail; and they examine the area in Leon County Jail where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; assess the adequacy of staffing levels in that area during different shifts; assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

The Leon County Jail has an Incident Review form that address all elements of the standard and are reviewed and answered on the form.

§115.87	<b>Data collection</b>
---------	------------------------

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of PREA Manual I.2; SOP 450.K15 D and annual report I find they meet this standard.

Reviewed annual report and compared 2014 to 2015 and found they have data for every allegation made.

Leon County Sheriff Office collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions, and aggregates the incident-based sexual abuse data at least annually.

The incident-based data collected is based on the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.

Leon County Sheriff Office maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

Leon County Sheriff Office obtains incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates.

Upon request, Leon County Sheriff Office provides all such data from the previous calendar year to the Department of Justice no later than June 30. No request has been made.

§115.88

**Data review for corrective action**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of PREA Manual I.3; annual report and interview with PREA coordinator I find they meet this standard.

Leon County Sheriff Office reviews data collected to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including identifying problem areas; taking corrective action on an ongoing basis; and preparing an annual report of its findings and corrective actions for each facility, as well as Leon County Sheriff Office as a whole.

Such reports includes a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of Leon County Sheriff Office's progress in addressing sexual abuse.

Leon County Sheriff Office's report is approved by Leon County Sheriff Office head and made readily available to the public through its website [www.leoncountyso.com](http://www.leoncountyso.com)

§115.89	<b>Data storage, publication and destruction</b>
---------	--

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on review of PREA Manual I.4 and reviewing annual report on the website I find they meet this standard.

Leon County Sheriff Office makes 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 [www.leoncountyso.com](http://www.leoncountyso.com)

All reports are securely retained and maintained for at least 10 years after the date of the initial collection unless Federal, State, or local law requires.

**AUDITOR CERTIFICATION:**

The auditor certifies that the contents of the report are accurate to the best of her knowledge and no conflict of interest exists with respect to his or her ability to conduct an audit of Leon County Sheriff Office under review.

*Katherine Brown*

March 24, 2016

Auditor Signature

Date