

PREA AUDIT REPORT Interim Final
ADULT PRISONS & JAILS

Date of report: 9/1/17

Auditor Information			
Auditor name: Cynthia Malm			
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Email: cmalm@idahosherriffs.org			
Telephone number: 208-346-1065			
Date of facility visit: February 13 – 15, 2017			
Facility Information			
Facility name: Power County Detention Center			
Facility physical address: 550 Gifford Avenue, American Falls, Idaho 83211			
Facility mailing address: <i>(if different from above)</i> Same			
Facility telephone number: 208-226-2311			
The facility is:	<input type="checkbox"/> Federal	<input type="checkbox"/> State	<input checked="" type="checkbox"/> County
	<input type="checkbox"/> Military	<input type="checkbox"/> Municipal	<input type="checkbox"/> Private for profit
	<input type="checkbox"/> Private not for profit		
Facility type:	<input type="checkbox"/> Prison	<input checked="" type="checkbox"/> Jail	
Name of facility's Chief Executive Officer: Chief Deputy Russell Max Sprague			
Number of staff assigned to the facility in the last 12 months: 26 (Includes all staff; 11 are assigned to the detention center)			
Designed facility capacity: 30			
Current population of facility: 30			
Facility security levels/inmate custody levels: Min/Med/Max			
Age range of the population: Average age 30			
Name of PREA Compliance Manager: None		Title: Click here to enter text.	
Email address: Click here to enter text.		Telephone number: Click here to enter text.	
Agency Information			
Name of agency: Power County Sheriff's Office			
Governing authority or parent agency: <i>(if applicable)</i> Power County			
Physical address: 550 Gifford Avenue, American Falls, Idaho 83211			
Mailing address: <i>(if different from above)</i> Same			
Telephone number: 208-226-2311			
Agency Chief Executive Officer			
Name: Jim Jeffries		Title: Sheriff	
Email address: jjeffries@co.power.id.us		Telephone number: 208-226-2311	
Agency-Wide PREA Coordinator			
Name: John Canfield		Title: Sgt.	
Email address: jeanfield@co.power.id.us		Telephone number: 208-226-2311	

AUDIT FINDINGS

NARRATIVE

The Prison Rape Elimination Act (IPREA) on-site audit of the Power County Detention Center in American Falls, Idaho was conducted on February 13 - 15, 2017 by Cynthia Malm from Pocatello, Idaho, a U.S. Department of Justice Certified PREA auditor for adult facilities. Pre-audit preparation included a thorough review of all documentation and materials submitted by the facility on a flash drive along with the data included in the completed IPREA Pre-Audit Questionnaire. The auditor reviewed documentation that included detention policies and procedures, forms, education materials, training curriculum, organizational charts, mission statements, posters, inmate handbooks, flyers, website information, and other IPREA related materials that were provided to demonstrate compliance with the IPREA standards. This review prompted a series of questions that were noted on the auditor's compliance tool and the auditor posed the questions to the Jail Commander and IPREA Coordinator at the on-site audit.

An entrance meeting was held with Lt. Ainnette Silva, Jail Commander and Sgt. John Canfield, the IPREA Coordinator at 8:45 a.m. on February 13. Lt. Silva provided the auditor a list of all of the staff of the facility and their schedules, including specialized staff, and a list of all of the inmates in the facility and where they were housed. The auditor explained the process of the audit and answered any questions the agency had about the audit process.

During the three days of the on-site audit, the auditor was provided a private room in the facility from which to work and conduct private interviews and a private room within the secure perimeter to conduct confidential interviews of staff. The auditor was also provided a private interview room within the security perimeter of the jail, to conduct confidential interviews with inmates. Formal personal interviews were conducted with facility staff, inmates, and contract employees. The auditor interviewed a total of nine inmates who were randomly selected from each of the four housing units in the jail. There were no youthful, transgender, intersex, disabled, or non-English speaking inmates incarcerated in the facility to interview. There were no inmates in segregated housing who had been a victim of sexual abuse for the auditor to interview and no inmates that reported a sexual abuse at intake. Inmates were interviewed using the recommended DOJ protocols that question their knowledge of a variety of IPREA protections, generally and specifically, their knowledge of reporting mechanisms available to inmates to report abuse or harassment. All of the inmates I interviewed acknowledged that they had received training on IPREA at booking explaining their right to be free from sexual abuse and sexual harassment, their right to be free from retaliation for reporting a sexual abuse or sexual harassment, and how to report a sexual abuse or sexual harassment. All inmates received an inmate handbook that contained information on how to report a sexual assault or sexual harassment. The inmates all stated that they were offered and shown a video within a few days of booking that explained IPREA to them. All inmates said they felt safe in the Power County Detention Center and the deputies are very respectful and treat the inmates well. A few of the inmates stated that the Power County Detention Center is the best jail they have been in because of the staff.

The auditor interviewed seven staff members (there are a total of nine staff members) representing three shifts (1st shift 7:00 a.m. to 3:00 p.m., 2nd shift 3:00 p.m. to 11:00 p.m. and 11:pm to 7:00 a.m.). The auditor also interviewed eight specialty staff, including shift sergeants, medical, (contract staff), investigative staff, intake and screening staff, first responders, and staff who supervise inmates in segregated housing, staff member assigned to do retaliation monitoring, and an incident review team member. Power County Detention Center is a small facility and all staff members work in the majority of specialty positions as well as general detention duties. Also interviewed were the Sheriff, Jail Administrator, Jail Commander, and IPREA Coordinator. Staff were interviewed using the DOJ protocols that question their IPREA training and overall knowledge of the agency's zero tolerance policy, reporting mechanisms available to inmates and staff, the response protocols when an inmate alleges sexual abuse or sexual harassment, and first responder duties. There are no SAFE or SANE employees at the facility as they are made available at the Portneuf Regional Medical Center in Pocatello, Idaho. All staff were very knowledgeable about IPREA and their responsibilities in preventing, detecting, and reporting sexual abuse and sexual harassment. All confirmed that they have yearly training on those responsibilities. The auditor reviewed random staff training records, rosters for attendance at IPREA 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 background check procedures for current staff. Case files for five inmates in the facility were reviewed in the booking room to evaluate screening and intake procedures, inmate education, and inmate signatures of acknowledgement. Classification records of inmate education, risk assessments, and housing decisions were also reviewed.

Following the entrance meeting, the auditor toured the facility from 9:05 - 10:45 a.m. and was escorted by Lt. Ainnette Silva, Jail Commander and Sgt. John Canfield, the IPREA Coordinator. During the tour, the auditor reviewed the booking process, observed the facility configuration, camera and mirror placement throughout the facility, blind spots, staff placement for supervision of inmates, toilet and shower areas, notices posted throughout the building and documentation to assist in determining compliance with the standards. The auditor noted that shower areas allow residents to shower separately and shower stalls are equipped with shower curtains. Toilets are inside the housing units and are out of direct sight of staff providing privacy for inmates. In the female housing unit the toilet is behind a door that closes. The auditor reviewed the camera views in Central Control and verified that toilets and showers were not monitored by the cameras. Notices of the IPREA audit were posted throughout the facility in the dayrooms. During the tour, the auditor was given privacy to talk informally to staff and inmates in the booking room, housing units, program areas, and work areas. The auditor interviewed staff members working their posts to ask questions about their positions, procedures in their areas, and how their areas contributed to protection from sexual abuse and sexual harassment.

After the facility tour, the auditor reviewed questions noted on the auditor's compliance tool with Lt. Ainnette Silva and Sgt. John Canfield and reviewed additional documentation to verify compliance with the standards.

At the conclusion of the on-site visit, an exit meeting was held at 2:45 on February 15 between the auditor, Lt. Silva, and Sgt. Canfield to discuss the audit findings and all discussed possible corrective actions that could be taken by the facility to achieve compliance with the standards that were not met.

DESCRIPTION OF FACILITY CHARACTERISTICS

The Power County Sheriff's Office oversees the Power County Detention Center. Both entities are located in a single building located at 550 Gifford Avenue, American Falls, Idaho. The Detention Division has a rated capacity of 30 beds for the containment of both female and male adult inmates and the housing units are in a linear design. There are no youthful inmates housed at the facility.

Near the agency front entrance is Central Control (also known as the Dispatch Office) which is the primary communication center of the agency and the facility. The security system monitors the movement and operation of outer and bunk area doors to the housing units as well as cameras and intercoms throughout the facility. Three external cameras are placed at public entrances that encase minor portions of the unsecured perimeter. The Control Room is staffed at all times by one Dispatcher and is the main contact for all safety, fire and emergency activity. In addition, Detention can operate doorways to Close Custody, Holding Cells, and Cell Block 14 via controls located in the Booking Office. All lockable doorways may also be accessed by Detention Deputies by use of both paracentric and standard type keys.

There are four minimum custody housing units with a combined total of 30 beds. One of them is designated for inmates with work release privileges. Cell Block 16 is comprised of four lockable sleeping areas with nine single level bunks (4)(1)(10)(3), a shower and a dayroom. Cell Block 15 has two lockable sleeping areas with six single level bunks (2)(4), a shower and dayroom. Cell Block 14 has two lockable sleeping areas each with one single level and one two-level bunks (3)(3), a shower and a dayroom. Work Release has three sleeping areas (no doors) each with one single level bunk and one double level bunk (3)(3)(3), a shower, a private lockable bathroom and a dayroom. The Holding Cell will provide only temporary sleeping accommodations for two inmates. The Close Custody cell will provide the same for only one individual. Located a few feet away is an un-lockable Intake Shower room which is used by inmates held in Holding and Close Custody.

New inmates are brought into the Detention Division either through a secure sally port or the front entrance of the facility and into a hallway leading to the Intoximeter/Pre-Detention Room (I/PD). New arrestees are pat searched at the end of the sally port hallway as well as in the I/PD room. The inmate is then escorted through the sally port hallway or main hallway south to a central hallway containing the exterior window wall of the Booking Office for processing. Photos are taken via the Holding Cell and fingerprints are completed in the Arraignment Video room located on the jail side of I/PD.

Across from the Booking window wall is Close Custody and the Holding Cell. At the end of that hallway is the Medical Room where evaluations and follow-up is conducted. There is no infirmary. Emergency services are provided firsthand at a hospital located one block from the agency. Dental extractions are conducted at a professional dentist office located three blocks away.

Jail side Visitation, a Detention Staff Restroom, and Inmate Property are connected by a side hallway off the Main Hallway North. Cell Blocks 14 through 16 are accessed via the Main Hallway North. At the furthest end are two lockable rooms, Indoor Recreation (where the Library is located and religious services are held) and Outdoor Recreation. A third lockable door gives exit access to the enclosed tunnel leading to a lockable gate intended for Idaho Department of Corrections bus transports. The Kitchen, Food Delivery and Food Storage Rooms separate the Booking Office from the Work Release unit. The Laundry Room has no door and is accessed via the sally port hallway.

The Power County Sheriff's Office includes Civil, Patrol, Driver's License and Administration rooms that are attached to and positioned outside of the secure Detention perimeter. Video Retention and the Detention Administrator's basement level offices are located directly below Central Control and the Sheriff's Office. Inmates are not allowed in any of these areas without supervision.

SUMMARY OF AUDIT FINDINGS

During the past twelve months, the Power County Detention Center reported there were two allegations of IPREA complaints received:

- (1) One report of possible staff-on-inmate abuse was a criminal investigation within the jail and was unfounded;
- (2) One report of possible inmate-on-inmate sexual harassment was referred for administrative investigation within the jail and was unfounded.

All administrative and criminal investigations are done by the patrol division. Criminal investigations that allegedly involve staff-on-inmate abuse are normally referred to the Tri-County Investigators who are comprised of sheriff's office detectives from around the region so that criminal complaints can be taken outside the agency when needed.

All of the interviews with inmates reflected that they received training on IPREA during booking, were offered a video before going back to housing, and were given a flyer and handbook. All stated that information is posted on the wall of the housing unit, in the handbook, flyer, and on the phones. All knew they could access a hotline number on the phone. The majority of inmates were able to explain a couple of ways to report a sexual abuse or sexual harassment but were confused on whether the calls were monitored or not. Most of the inmates did not know that advocates were available or how to contact them. Most weren't sure if they could actually have a third party report for them. They were aware that they could report verbally, in writing, and anonymously. All of the inmates said they felt safe in the Power County Detention Center and confirmed that the officers are very quick to respond to any possible sexual abuse or sexual harassment complaints in the facility.

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

In summary, after reviewing all pertinent information and after conducting inmate and staff interviews, the auditor found that the IPREA Coordinator and agency leadership have clearly supported IPREA and have engaged in policy development, training of staff, and education of inmates on all aspects of IPREA. When confronted with the areas that do not meet standards, the IPREA Coordinator and Jail Commander began working immediately to implement any corrective action plans that were agreed upon between the agency and the auditor. These immediate actions reinforced the agency's commitment to ensuring the safety of inmates and staff in the Power County Detention Center.

OVERALL COMPLIANCE AS REFLECTED IN INTERIM COMPLIANCE REPORT:

Number of standards exceeded: 3

Number of standards met: 35

Number of standards not met: 0

Number of standards not applicable: 3

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

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

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

115.11(a) The Power County Detention Center has implemented a zero tolerance policy as detailed in Policy 15.1 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 and descriptions of the agency strategies and responses to sexual abuse and harassment. And, the policy details what sanctions are imposed for those found to have participated in prohibited behaviors. This policy forms the foundation for the program’s training efforts with inmates, staff, volunteers, contractors, and others. All interviews reflected that staff and inmates are aware of this zero tolerance policy.

115.11(b) The facility has designated an upper-level, agency-wide IPREA Coordinator, Sgt. John Canfield, to oversee policy and procedure development and operations in reference to sexual abuse and sexual harassment. The IPREA Coordinator reports directly to the Power County Jail Commander, Lt. AINETTE SILVA, who, in turn, reports directly to the Power County Jail Administrator, Chief Deputy Russell Max Sprague. Sgt. Canfield indicated that he has sufficient time and authority to develop, implement, and oversee the agency’s efforts toward IPREA compliance and Sheriff Jim Jeffries confirmed that Chief Deputy Sprague, Lt. AINETTE SILVA, and Sgt. Canfield have full support of the Sheriff’s Office in all of their efforts to bring the Power County Jail into compliance with the IPREA standards.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Power County Detention Policy 15.1
- Power County Detention Center’s Organizational Chart
- Interview with Russell Max Sprague, Jail Administrator
- Interview with Sheriff Jim Jeffries
- Interview with Sgt. John Canfield, IPREA Coordinator
- Interview with Lt. AINETTE SILVA, Jail Commander
- Completed Pre-Audit Questionnaire submitted by Lt. AINETTE SILVA

Standard 115.12 Contracting with other entities for the confinement of inmates

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

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

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
- Interview with Russell Max Sprague, Jail Administrator
- Interview with Lt. Ainnette Silva, Jail Commander
- Interview with Sgt. John Canfield, IPREA Coordinator

Standard 115.13 Supervision and monitoring

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

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

115.12(c - d) The Power County Detention Center has not developed a written staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse. Therefore, the auditor finds that the Power County Detention Center does not meet this part of the standard.

115.12(e) The Power County Detention Center has detailed in Policy 15.1 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. The policy states that unannounced supervisor rounds will be done once each shift, two times a month. A review of the documentation of unannounced supervisor rounds confirmed that the rounds are done randomly and frequently on all shifts. This was also verified through informal interviews with staff at their posts during the audit tour and through formal interviews with random staff and supervisors. Interviews also confirmed that the rounds are unannounced and staff are prohibited from alerting other staff that the rounds are taking place.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Power County Detention Policy 15.1
- Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
- Idaho Jail Standards
- Schematic plan of where the cameras are placed
- Documentation evidencing the conduct of unannounced supervisor rounds on every shift
- Informal interviews with staff during the audit tour
- Formal interviews with random staff and intermediate or higher level staff
- Interview with Russell Max Sprague, Jail Administrator
- Interview with Lt. Ainnette Silva, Jail Commander
- Interview with Sgt. John Canfield, IPREA Coordinator
- Power County Detention Center population report for 2015 and 2016

CORRECTIVE ACTION REQUIRED:

1. The Power County Sheriff's Office should develop, document, and make its best efforts to comply on a regular basis with a staffing plan and predicate it on the average daily number of inmates incarcerated in the facility.

2. When the staffing plan is developed, the Power County Detention Center should document and justify any deviations from the plan.
3. The Power County Sheriff's Office, in collaboration with the Power County Detention Center should review the staffing plan a minimum of once a year to see whether adjustments are needed in the staffing plan, the deployment of monitoring technology, or the allocation of agency/facility resources to commit to the staffing plan to ensure compliance.
4. The Power County Sheriff's Office should document the yearly review of the staffing plan.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

The auditor returned to the Power County Detention Center on August 25, 2017 and was provided supplemental documentation and explanation to evidence and demonstrate corrective actions taken by Power County regarding this standard. These are discussed below:

Additional Documentation Reviewed:

1. Power County Detention Center 2017 Staffing Plan
2. Fiscal Year 2015 Budget Request
3. Power County revised Detention Policy 15.1

The auditor met with Lt. Ainnette Silva and Sgt. John Canfield and they explained the 2017 staffing plan. There are nine full time detention deputies in the jail and the Power County Sheriff's Office continues to maintain these nine positions in the jail.

As of the date of the follow-up audit, there had been no deviations from the staffing plan in the Power County Jail. The plan requires a minimum of two detention deputies on all shifts. In order to avoid deviations the agency pays overtime or administration helps cover shifts, when needed.

The revised Power County Detention Policy requires the staffing plan be reviewed yearly to see whether adjustments are needed to the staffing plan, the deployment of monitoring technology, or the allocation of agency/facility resources to commit to the staffing plan to ensure compliance. Included in this yearly review will be the Sheriff, Undersheriff, Jail Commander, and IPREA Coordinator.

The yearly review of the staffing plan will be documented.

The Power County Detention Center is now fully compliant with this standard.

Standard 115.14 Youthful inmates

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

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

115.14(a) The Power County Detention Center has detailed in Policy 15.1 how a youthful inmate would be housed in the facility. Youthful inmates are rarely housed in the Power County Detention Center and are sent, when possible to a juvenile detention facility. The Power County Detention Center has kept the policies in place for the rare occasion that they may be required to house a youthful inmate in accordance with Idaho law. If a youthful inmate is placed in the Power 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 Policy 15.1, the Power 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 Power County Detention Center has detailed in Policy 15.1 that the Detention Center will make its best efforts to avoid placing a youthful inmate in segregation to comply with this standard. Absent exigent circumstances, the facility does not deny youthful inmates daily large-muscle exercise or any legally required special education services while in the facility. The policy states that youthful inmates are given access to other programs and work opportunities to the extent possible. Policy also states that the shift supervisor will document the exigent circumstances of each instance in which youthful inmates' access to large muscle exercise, legally required education services, and other programs and work opportunities is denied. There was no documentation to review as the Power County Detention Center has not housed any youthful inmates in the 12 months prior to the audit.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Power County Detention Center Policy 12.1 and 15.1
- Interview with Lt. Ainnette Silva
- Interview with Sgt. John Canfield, IPREA Coordinator
- Interviews with random staff
- Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
- Power County Detention Center Population Report for 2015 and 2016

Standard 115.15 Limits to cross-gender viewing and searches

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

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

115.15(a) The Power County Detention Center's Policy 5.1 details that cross gender strip searches are prohibited except in exigent circumstances. Only medical practitioners can perform intrusive or invasive body cavity searches under all circumstances. There were no cross gender strip searches done in the 12 months prior to the audit for the auditor to review.

115.15(b) The Power County Detention Center's Policy 5.1 states that cross gender pat down searches are prohibited except in exigent circumstances. In the past 12 months, no cross gender searches of female inmates were done. The policy states that if a cross gender pat down search must be done, the staff member will obtain supervisory permission before conducting the pat down search. Policy 5.1 and interviews with female inmates and random staff 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 Power County Detention Center's Policy 5.1 requires that all cross gender strip searches of male and female inmates and all cross gender pat down searches of female inmates must be documented.

115.15(d) The Power County Detention Center's policy and practice 5.1 ensures that inmates are able to shower, perform bodily functions, and change clothing with privacy. The policy details the exigent circumstances that would be required for staff of the opposite gender to deviate from this policy. Policy 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.

115.15(e) Power 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.

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

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Power County Detention Center's Policy 5.1
- Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
- Interview with Lt. Ainnette Silva
- Interview with Sgt. John Canfield, IPREA Coordinator
- Interviews with random inmates and staff

CORRECTIVE ACTION REQUIRED:

1. The Power County Detention Center should arrange to have all of the detention deputies trained on how to conduct cross gender pat down searches and searches of transgender and intersex inmates in a professional manner either through the PREA Resource Center online training or other acceptable training course.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

The auditor returned to the Power County Detention Center on August 25, 2017 and was provided supplemental documentation and explanation to evidence and demonstrate corrective actions taken by Power County regarding this standard. These are discussed below:

Additional Documentation Reviewed:

1. Power County Detention Center Roster for taking the "Guidance on Crossgender and Transgender Pat Down Searches" offered on the PREA Resource Center website.

The auditor reviewed the roster and verified that all nine detention deputies have taken the online course.

The auditor finds that the Power County Detention Center is now fully compliant in this standard.

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

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

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

115.16(a) The Power County Detention Center's Policy 5.1 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. However, the Detention Center doesn't have anything specifically in place to assist inmates with disabilities. Therefore, the auditor finds that the Power County Detention Center does not meet this part of the standard. All staff receive yearly training on IPREA compliant practices for inmates with disabilities and inmates with limited English proficiency. There were no inmates with disabilities that would limit their ability to understand the procedures for reporting sexual abuse or sexual harassment in the facility at the time of the audit.

The Power County Detention Center has established procedures to provide some inmates with limited English proficiency equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Flyers explaining the inmate's right to be free from sexual abuse and sexual harassment are available in a Spanish version. Posters are hung on the wall of the housing unit that explain how to report a sexual abuse or sexual harassment. The IPREA video is also available in Spanish. And, some of the deputies of the Power County Sheriff's Office speak Spanish and can help translate. However, the facility doesn't have anything in place to provide translation services for any language other than Spanish. There were no limited English proficient inmates in the facility at the time of the audit.

115.16(b) Power County Detention Policy 15.1 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 to assist other inmates. Interviews with random staff confirmed that inmate interpreters are not used unless there are exigent circumstances and no one could remember a time that inmate interpreters have been used.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Power County Detention Policy 15.1
- Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
- Interview with Lt. Ainnette Silva, Jail Commander
- Interview with Sgt. John Canfield, IPREA Coordinator
- Interviews with random facility staff
- Samples of IPREA posters and flyer translated into Spanish
- Video in Spanish
- Yearly IPREA training curriculum for staff

CORRECTIVE ACTION REQUIRED:

1. The Power County Detention Center should put into place a means to communicate with inmates who have disabilities such as lists of sign language interpreters, large print editions of inmate handbooks, deputies required to read to inmates, or any other means of communication it prefers.
2. The Power County Detention Center should put into place a means to communicate with inmates who are limited English proficient in all languages such as a language line, list of interpreters from the court or university, or other means of communication it prefers.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

The auditor returned to the Power County Detention Center on August 25, 2017 and was provided supplemental documentation and explanation to evidence and demonstrate corrective actions taken by Power County regarding this standard. These are discussed below:

Additional Documentation Reviewed:

1. Emails to Idaho State University agreeing to help provide sign language interpreters
2. Large print inmate handbook
3. Agreement with a Language Line

The audit reviewed the emails written to Idaho State University in Pocatello, Idaho by Lt. Ainnette Silva and their responses. Idaho State University gave Lt. Silva a list of interpreters who could be used in instances of an inmate who is deaf or has serious hearing issues. The Idaho State University contact also provided other sources that the Power County Detention Center could call for assistance in communicating with the deaf and hard of hearing if their interpreters were not available.

The Power County Detention Center has also published some large print inmate handbooks for inmates who have limited sight and have instructed the detention deputies to read information on IPREA to inmates who are blind or cannot read.

The Power County Detention Center and Power County Sheriff's Office have entered into an agreement with a Language Line to provide interpretation services when a non-English speaking inmate is in the facility and none of the deputies can communicate with the inmate. The language line is available to all staff on all shifts. There are also a few deputies with the Power County Detention Center and the Power County Sheriff's Office who speak other languages and can assist with communication, when needed. And, the staff can use interpreters

from Idaho State University also, when needed.

The auditor finds that the Power County Detention Center is now fully compliant with this standard.

Standard 115.17 Hiring and promotion decisions

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

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

115.17(a) Power County Detention Policy 15.1 prohibits the hiring, promotion or retention of any employee who may have contact with inmates and will not enlist the services of any contractor that has the prohibited conduct specified in this standard. The background investigation also includes a criminal background records check of all applicants for employment or contracting services. In addition to policy, detention deputies are required to be state certified within one year of hire and the Idaho P.O.S.T. Academy requires a thorough background check on any detention employee who will be attending the P.O.S.T Academy.

115.17(b) The Power County Sheriff's Office considers any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.

115.17(c) When conducting criminal background checks prior to hiring an applicant, the Power County Sheriff's Office does not currently contact all prior institutional employers for information on substantiated allegations of sexual abuse or any pending investigations of allegations of sexual abuse. The requirement is written in policy but is not done in practice. Therefore, the auditor finds that the Power County Detention Center does not meet this part of the standard.

In the past 12 months, eleven people have been hired who have contact with inmates and 100% have had an extensive background and criminal history check completed prior to hiring. All current staff who have contact with inmates have had the extensive background and criminal history check before being hired.

115.17(d) Power County Detention Policy 15.1 requires that a criminal background records check be completed before enlisting the services of any contractor who may have contact with inmates. In the past twelve months, the Power County Sheriff's Office has conducted criminal background record checks on both contract employees who have been hired and have contact with inmates.

115.17(e) Policy and procedures of the Power County Sheriff's Office require all employees of the Sheriff's Office have a criminal background records check done a minimum of every five years.

115.17(f) The Power County Detention Center Policy 15.1 reflects the standard exactly but doesn't detail exactly when applicants or employees are asked about any prior sexual misconduct of the type specified in 115.17(a) of this section. And, interviews with Lt. Ainnette Silva and with Sgt. John Canfield confirmed that there is no actual procedure in place for asking these questions. Therefore, the auditor finds that the Power County Detention Center does not meet this part of the standard. The Detention Center policy imposes upon employees a continuing affirmative duty to disclose any such misconduct.

115.17(g) The Power County Detention Center Policy 15.1 states that material omissions regarding such misconduct or provision of materially false information shall be grounds for termination.

115.17(h) Policy 15.1 requires the Power 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. All requests are forwarded to the Power County Sheriff for action. The Power 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.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.1
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Idaho P.O.S.T. IDAPA Rules
Idaho Jail Standards
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator

CORRECTIVE ACTION REQUIRED:

1. The Power County Detention Center should put policy into practice in that when conducting criminal background checks prior to hiring an applicant, the Power County Sheriff's Office contact all prior institutional employers for information on substantiated allegations of sexual abuse or any pending investigations of allegations of sexual abuse
2. The Power County Detention Center should clarify in its policy when applicants for hiring or promotions are asked about prior sexual misconduct.
3. The Power County Detention Center should develop procedures that will implement the amended policy into facility practice.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

The auditor returned to the Power County Detention Center on August 25, 2017 and was provided supplemental documentation and explanation to evidence and demonstrate corrective actions taken by Power County regarding this standard. These are discussed below:

Additional Documentation Reviewed:

1. Revised Power County Detention Center Policy 15.1
2. Power County IPREA Yearly Training Form

The Power County Detention Center has revised the policy to require that prior to hiring an applicant for the Detention Center, the Power County Sheriff's Office will contact all prior institutional employers for information on substantiated allegations of sexual abuse or any pending investigations of allegations of sexual abuse. Lt. Silva and Sgt. Canfield verified that this is now the practice.

The Power County Detention Center has put into policy and practice that the detention employees will be asked at the yearly IPREA training sessions to disclose any instances over the prior year of being involved in sexual misconduct or sexual harassment of any kind.

The auditor finds that the Power County Detention Center is now fully compliant in this standard.

Standard 115.18 Upgrades to facilities and technologies

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

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

115.18(a) The Power County Sheriff's Office and Power 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 Power 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, support services areas, and internal entrances into the building. Cameras are not placed in the sleeping areas and the shower or toilet areas. No new cameras have been added during the audit cycle.

This standard is not applicable to the Power County Detention Center this audit cycle as the answer to a and b was N/A.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Power County Detention Center's schematic of camera placement throughout the facility
Interview with Chief Deputy Russell Max Sprague, Jail Administrator
Interview with Power County Sheriff, Jim Jeffries

Standard 115.21 Evidence protocol and forensic medical examinations

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

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

115.21(a - b) The Power 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 Power County Detective/Patrol Division and the Tri-County Investigators when conducting criminal investigations inside and outside the Detention Center. The protocol is developmentally appropriate for youth but no youthful inmates are held in the facility. The Power County Detention Center takes the inmate to the Portneuf Regional Medical Center in Pocatello, ID where the hospital will have its own evidence collection protocol for forensic exams.

115.21(c) Power County Detention Policy 15.3 states that all victims of sexual abuse are offered access to forensic medical examinations where evidentiary or medically appropriate. Lt. Silva and Sgt. Canfield explained that these exams will normally be done at Portneuf Regional Medical Center in Pocatello, Idaho. The policy states there is no financial cost to the victim. When possible, examinations are performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs). When SANEs or SAFEs are not available, a qualified medical practitioner performs a forensic medical examination. Attempts to get a SAFE or SANE are documented. This information is based on the policy as there were no forensic medical examinations performed during the last twelve months.

115.21(d) The Power County Detention Center has obtained Family Services Alliance located in Pocatello, Idaho to provide rape crisis services to victims of sexual assault. Family Services Alliance has a 24/7 hour crisis line that inmates can call free of charge and the calls are not recorded.

115.21(e) The Power County Detention Policy 15.3 ensures that a victim's advocate, upon request from the inmate, accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provides emotional support, crisis intervention, information and referrals as warranted. There have been no forensic medical examinations done during the last twelve months and a victim's advocate has not been requested or used by inmates.

115.21(f) The Power County Detention Center has an outside agency conduct the investigation if the allegation involves staff. All investigations that allegedly involve staff are referred outside the agency, by Sheriff Jim Jeffries, to the Tri-County Investigations unit. All Power County Investigators who are involved in the investigations have had the specialized training for investigators in a confinement setting and all have had training on sexual assault investigations. All IPREA complaints are investigated for possible criminal activity and the Power County Sheriff's Office and the Tri-County Investigations unit maintain a close working relationship with the County Prosecutor.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.3
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Interview with Chief Deputy Russell Max Sprague, Jail Administrator
Interview with Sheriff Jim Jeffries
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator
Interview with Power County Sheriff's Office criminal investigator
Inmate Handbooks that list contact information for Family Services Alliance
Law Enforcement Mutual Assistance Compact between sheriffs participating in Tri-County Investigations
Idaho State Patrol Uniform Evidence Collection Protocol
Training certificates for all IPREA investigators within the agency

Standard 115.22 Policies to ensure referrals of allegations for investigations

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

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

115.22(a) The Power County Detention Center assigns a patrol officer to conduct administrative and criminal investigations. Sheriff Jim Jeffries will refer an allegation to Tri-County Investigators when appropriate. All investigations that allegedly involve staff are referred outside the agency to the Tri-County Investigations unit. All detectives involved in the investigations have had the specialized training for investigators in a confinement setting and all detectives have had training in sexual assault investigations. All IPREA complaints are investigated for possible criminal activity and the Power County Sheriff's Office and the Tri-County Investigations unit maintain a close working relationship with the County Prosecutor. Documentation showed that a total of two allegations of sexual abuse or sexual harassment were investigated with one being an administrative investigation of staff-on-inmate abuse, determined unfounded, and one was an administrative investigation of inmate-on inmate sexual harassment which was determined to be unfounded.

115.22(b) The policy regarding the referral of allegations of sexual abuse or sexual harassment for criminal investigation is being added to the website, co.power.id.us/sheriffs-office.

115.22(c) Power County Detention Policy 15.3 requires administrative investigations done by a staff member of the detention center or the sheriff's office who is trained to do the investigations. The allegation is assigned to an investigator by the Jail Administrator. The majority of administrative investigations are investigated by an assigned patrol deputy who has taken the training for investigators.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.3
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Power County Sheriff's Website: co.power.id.us/sheriffs-office
Interview with Sheriff Jim Jeffries
Interview with Chief Deputy Russell Max Sprague, Jail Administrator
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator
Interview with Power County Sheriff's administrative and criminal investigator
PREA Investigator training certificates for Power County Investigators
Logs of sexual abuse and sexual harassment allegations and subsequent investigations

Standard 115.31 Employee training

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

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

115.31(a - b) The Power County Detention Policy 15.4 requires that employees receive a minimum of one hour of IPREA refresher training every two years that goes over all of the IPREA requirements. In years in which an employee does not receive refresher training, the agency shall provide refresher information on current sexual abuse and sexual harassment policies. The auditor reviewed a lesson plan from the PREA Resource Center on each of the ten topics that is used for training and it was very comprehensive and covered all of the topics. Interviews with random staff revealed that the staff have extensive training on IPREA and are very knowledgeable on the topics.

115.31(c) The training is tailored to the gender of the inmates at the Power 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(d) IPREA refresher training that reviews all of the requirements of IPREA is provided to employees every two years. In years in which an employee does not receive refresher training, the agency shall provide refresher information on current sexual abuse and sexual harassment policies

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.4
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
PREA Training Curriculum from the PREA Resource Center
Staff rosters and description of training received
Staff signatures of receiving the training
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator
Interviews with random staff

Standard 115.32 Volunteer and contractor training

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

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

115.32(a - b) The Power County Detention Policy 15.4 requires all volunteers and contractors who may have contact with inmates be trained on the agency's policy of zero tolerance regarding sexual abuse and sexual harassment and how to report such incidents. The policy also requires that volunteers and contractors be trained in their responsibilities under the department's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. Policy also states that volunteers and contractors who have contact with inmates shall receive a modified version of the staff IPREA training, relative to the type of service the volunteer provides to inmates. Twenty one volunteers and individual contractors who have contact with inmates have been trained in IPREA requirements during the last twelve months. This totals 100 % that have been trained.

115.32(c) All volunteers and contractors are required to sign they have had the training and the documentation is kept on file at the Power County Sheriff's Office. However, Policy 15.4 requires that the agency maintains documentation confirming that volunteers and contractors understand the training they have received and the specific topic taught. The documentation did not contain the confirmation of understanding. Therefore, the auditor finds that the Power County Detention Center does not meet this part of the standard.

There were no volunteers on site at the time of the audit. One medical contractor was interviewed and that person has had basic IPREA training and was knowledgeable of the responsibilities under IPREA.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Power County Detention Center Policy 15.4
- Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
- IPREA Acknowledgement Form for volunteers and contractors
- Interview with Lt. Ainnette Silva, Jail Commander
- Interview with Sgt. John Canfield, IPREA Coordinator
- Interview with medical contractor

CORRECTIVE ACTION REQUIRED:

1. When providing IPREA training to volunteers and contractors, the Power County Detention Center should have volunteers sign confirmation of the understanding of the specific topic taught.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

The auditor returned to the Power County Detention Center on August 25, 2017 and was provided supplemental documentation and explanation to evidence and demonstrate corrective actions taken by Power County regarding this standard. These are discussed below:

Additional Documentation Reviewed:

1. Training Acknowledgement Form for Volunteers

The auditor reviewed the revised training form for volunteers to acknowledge the training and sign the understanding of the training.

The auditor finds that the Power County Detention Center is fully compliant with this standard.

Standard 115.33 Inmate education

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

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

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

115.33(a - c) The Power County Detention Center reports that 382 inmates have been admitted in the past twelve months to the facility and all have been provided with comprehensive information during booking, and a review within 30 days. All inmates in the Power County Detention Center receive a flyer and inmate handbook at booking and are offered a video explaining their right to be free from sexual abuse and sexual harassment and how to report such incidents. The video is elective and the inmate can refuse to watch it. During the intake process, the booking deputy will provide verbal and written information about the facility’s zero tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. Inmates are required to sign that they have received this information during intake.

115.33(d - e) The Power County Detention Center’s Policy 5.4 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. However, the Detention Center doesn’t have anything specifically in place to assist inmates with disabilities. Therefore, the auditor finds that the Power County Detention Center does not meet this part of the standard.

The Power County Detention Center has established procedures to provide some inmates with limited English proficiency equal opportunity to participate in or benefit from all aspects of the agency’s efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Flyers explaining the inmate’s right to be free from sexual abuse and sexual harassment are available in a Spanish version. Posters are hung on the wall of the housing unit that explain how to report a sexual abuse or sexual harassment. The IPREA video is also available in Spanish. And, some of the deputies of the Power County Sheriff’s Office speak Spanish and can help translate. However, the facility doesn’t have anything in place to provide translation services for any language other than Spanish. Therefore, the auditor finds that the Power County Detention Center does not meet this part of the standard.

Interviews with random inmates revealed that the inmates are not retaining the information they are provided through the video, handbook, posters and flyers. All of the interviews with inmates confirmed that they received training on IPREA shortly after booking by watching a video and received a PREA flyer and inmate handbook that contained information on how to report a sexual assault or sexual harassment. All stated that information is posted on the wall of the housing unit, and is in the inmate handbook. All knew they could access a hotline number on the phone. However, most of the inmates were unable to explain to the auditor all the ways to report a sexual abuse or sexual harassment incident. Most were uncertain whether there was a way to report an incident outside the facility. The recurring comments were that they know there are lots of ways to report but were having difficulty explaining specific ways to report. All inmates said they felt safe in the Power County Detention Center and confirmed that the officers are very quick to respond to any possible sexual abuse or sexual harassment complaints in the facility.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.4
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
IPREA Inmate Acknowledgement Form and random signatures
Inmate signatures on the Medical Screening Form
Inmate Handbook
IPREA flyers
IPREA Posters displayed in dayrooms
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator
Interviews with random inmates
Interviews with random staff

CORRECTIVE ACTION REQUIRED:

1. The Power County Detention Center should put into place a means to educate inmates who have disabilities such as lists of sign language interpreters, large print editions of training materials, deputies required to read to inmates, or any other means of communication it prefers.
2. The Power County Detention Center should put into place a means to educate inmates who are limited English proficient in all languages such as a language line, list of interpreters from the court or university, or other means of communication it prefers.
3. The Power County Detention Center should post more detailed information by the phones in the dayrooms that includes ways to

report inside and outside the facility along with phone numbers of those agencies.

4. The Power County Detention Center should amend its handbook and flyer to include all of the ways to report a sexual abuse or sexual harassment.
5. The Power County Detention Center policy should be amended to require comprehensive training be provided to inmates on a regular basis throughout their stay so that training is continuous.
6. The Power County Detention Center should require all inmates to watch the IPREA video.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

The auditor returned to the Power County Detention Center on August 25, 2017 and was provided supplemental documentation and explanation to evidence and demonstrate corrective actions taken by Power County regarding this standard. These are discussed below:

Additional Documentation Reviewed:

1. Emails to Idaho State University agreeing to help provide sign language interpreters
2. Large print inmate handbook
3. Agreement with a Language Line
4. Flyer that includes all the ways to report a sexual abuse
5. Inmate Handbook

The audit reviewed the emails written to Idaho State University in Pocatello, Idaho by Lt. Ainnette Silva and their responses. Idaho State University gave Lt. Silva a list of interpreters who could be used in instances of an inmate who is deaf or has serious hearing issues. The Idaho State University contact also provided other sources that the Power County Detention Center could call for assistance in communicating with the deaf and hard of hearing if their interpreters were not available.

The Power County Detention Center has also published some large print inmate handbooks for inmates who have limited sight and have instructed the detention deputies to read information on IPREA to inmates who are blind or cannot read.

The Power County Detention Center and Power County Sheriff's Office have entered into an agreement with a Language Line to provide interpretation services when a non-English speaking inmate is in the facility and none of the deputies can communicate with the inmate. The language line is available to all staff on all shifts. There are also a few deputies with the Power County Detention Center and the Power County Sheriff's Office who speak other languages and can assist with communication, when needed. And, the staff can use interpreters from Idaho State University also, when needed.

The Power County Detention Center has added to its flyers all of the ways to report a sexual abuse and sexual assault and has posted the flyer in the housing units in both English and Spanish. The inmate handbook has also been revised to include all of the ways to report.

The Power County Detention Center has revised the policy to require comprehensive training to be provided to inmates on a regular basis. Sgt. Canfield meets with each housing unit once a week and discusses IPREA and all of the ways to report. And, the inmates are given weekly quizzes on IPREA and how to report. Inmates are also now required to watch the IPREA video before being taken to general population.

The auditor finds that the Power County Detention Center is now fully compliant with this standard.

Standard 115.34 Specialized training: Investigations

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

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

recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.34(a) The Power County Detention Policy 15.4 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 on line PREA Investigators course, “Investigating Sexual Abuse in a Confinement Setting” available through the PREA Resource Center and the National Institute of Corrections or the classroom course when it is available.

Three criminal investigators in the Power County Sheriff’s Office have taken this course and conduct all administrative and criminal investigations into allegations of sexual misconduct and sexual harassment in the Detention Center.

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. Patrol deputies/detectives from the Power 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 agency keeps the Certificates of Completion for the investigators who took the investigator’s specialized training on file at the Sheriff’s Office.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Power County Detention Center Policy 15.4
- Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
- Objectives for the online course, “Investigating Sexual Abuse in a Confinement Setting”
- Training documentation for investigators completing the specialized training
- Interview with facility administrative and criminal investigator
- Interview with Chief Deputy Russell Max Sprague, Jail Administrator

Standard 115.35 Specialized training: Medical and mental health care

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

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

115.35(a) The Power County Sheriff’s Office contracts with Power County Medical Clinic to provide on-site medical care at the facility. The medical provider comes to the facility once or twice a week depending on the schedule. Interviews with contract medical staff confirmed that they are provided in-depth training on their responsibilities under IPREA. The clinic is new at the jail and the training is currently being done. Specialized training includes the four elements required by this IPREA standard. The number of medical and mental health practitioners who work regularly at the facility and have had the training is two.

115.35(b) The medical contractor does not conduct forensic exams at the Power 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 care practitioners also receive the training mandated for other employees of the facility.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.4
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Interview with Power County Medical Clinic physician
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator

Standard 115.41 Screening for risk of victimization and abusiveness

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

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

115.41(a - b) Power County Detention Policy 15.5 requires that all inmates will be assessed during their intake screening for their risk of being sexually abused by other inmates or being sexually abusive toward other inmates. During the audit tour, Lt. Silva and Sgt. Canfield explained that the assessment is normally done at booking unless the inmate is severely intoxicated or uncooperative. But, under no circumstances, would it go over 72 hours to complete the risk assessment. The Power County Detention Center reported that 267 inmates have entered the facility within the past twelve months with a length of stay over 72 hours. All 267 inmates were screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their entry into the facility

115.41(c - d) The risk assessments are completed on an objective screening instrument that covers all ten topical areas of information as detailed in this standard. The auditor reviewed five random files of inmates and verified that the screening instrument is being used.

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

115.41(g) If the risk screening indicates that an inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff will ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of intake. Power County Detention Center Policy 15.5 also requires that an inmate’s risk level be reassessed within 30 days of intake by the IPREA Coordinator or when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that directly affects the inmate’s risk of victimization or abusiveness.

115.41(h) The policy prohibits the Power County Detention Center from disciplining inmates for refusing to answer any questions referring to sexual abuse or for not disclosing any information on the screening questions listed in this standard. Because of this policy and practice, the auditor finds that the Power County Detention Center exceeds this part of the standard.

115.41(i) Policy 15.5 states that information in the risk screening form contains sensitive information and staff are prohibited from using the information to the detriment of the inmate. The policy further states that staff will face disciplinary action if this happens. The Power County Detention Center has controls on dissemination of information on the risk screening form by restricting access to the information by the Jail Commander and the IPREA Coordinator only. Any other person who needs to access the information must go through the Jail Commander or IPREA Coordinator for authorization.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.5
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Objective Risk Screening Instrument

Interviews with random staff
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator
Random Inmate Files

Standard 115.42 Use of screening information

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

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

115.42(a) The Power County Detention Center requires that all information gathered during the intake and assessment process be used to ensure appropriate classification and placement of inmates into housing, work programs, and regular programs as well as any necessary security or protective precautions required to ensure the inmate’s safety.

115.42(b) All detention deputies are classification deputies and 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 Power County Detention Policy 15.5 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 15.5 requires that, at least monthly, a reassessment will be completed on all transgender and intersex inmates to review any threats of safety experienced by the inmate. Because of the reassessment being done at least every thirty days, the auditor finds the Power County Detention Center exceeds this standard.

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

115.42(f) Policy 15.5 states that transgender and intersex inmates will be allowed to shower separately from other inmates.

115.42(g) The Power County Detention Center Policy 15.5 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 Power County Detention Center is under no such legal restriction.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.5
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Objective Screening Instrument
Interviews with random staff
Interview with Chief Deputy Russell Max Sprague, Jail Administrator
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator

Standard 115.43 Protective custody

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

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

115.43(a and d) The Power County Detention Policy 15.5 prohibits staff from placing inmates at high risk for sexual victimization in involuntary segregated housing unless the determination has been made that this housing assignment best protects the safety of the inmate and a review of other alternatives failed to provide adequate safety from likely abusers. The inmate may be placed in involuntary segregation for a time period, not to exceed 24 hours, in order to complete the assessment and find appropriate housing. Interviews with random staff and inmates revealed no incidents of involuntary housing being used for this purpose.

115.43(b) The policy requires any inmates placed in involuntary segregated housing have access to programs, privileges, education and work opportunities to the extent possible. If opportunities are restricted, staff will document which opportunities have been limited, the duration of the limitation, and the reasons for the limitations.

115.43(c) If no alternative housing can be found immediately, the inmate may normally be held in involuntary segregated housing for no more than 30 days.

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

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

At the time of the audit, there were no inmates assigned to involuntary segregated housing to separate them from likely abusers.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Power County Detention Center Policy 15.5
- Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
- Objective Risk Assessment Instrument
- Reassessment Form
- Documentation of IPREA Restricted Housing Assignments over the last twelve months
- Idaho Jail Standards
- Interviews with random staff and inmates
- Interview with Lt. Ainnette Silva, Jail Commander
- Interview with Sgt. John Canfield, IPREA Coordinator

Standard 115.51 Inmate reporting

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

- Does Not Meet Standard (requires corrective action)

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

115.51(a) The Power County Detention Center Policy 15.6 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. Seven ways to report within the facility are explained in policy. The reporting methods within the facility include verbally telling a staff member, telling medical, telling a volunteer, submitting a request slip, writing a personal letter to staff, writing a confidential letter to administration, and submitting a complaint on a grievance form. However, the handbook and flyer given to the inmates don’t list any of these ways to report except for telling medical. The policy and information given to the inmates must match. Therefore, the auditor finds that the Power County Detention Center doesn’t meet this part of the standard.

115.51(b) The Power County Detention Center Policy 15.6 states that the inmates can contact the local police department, report on the Hotline, report to the Crime Reporting Hotline, report to a 24 hour advocacy agency, and report to the State Police to make reports of sexual abuse or sexual harassment from inmates in the facility. 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. However, inmates are not given all of the ways to report on the flyer and in the handbook. They also aren’t aware if calls are free and unmonitored to the outside sources. And, interviews with Lt. Silva and Sgt. Canfield revealed that no arrangements have been made with the local police department or the State Police to receive the calls. The policy and information given to the inmates must match. Therefore, the auditor finds that the Power County Detention Center doesn’t meet this part of the standard.

115.51(c) The Power County Detention Center policy 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 Power County Patrol Investigator who will initiate the investigation.

115.51(d) Staff at the Power County Detention Center can privately report sexual abuse and sexual harassment to anyone in the Sheriff’s Office up to, and including, the Sheriff. Interviews with staff confirmed that they are aware of this policy.

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

The Power County Sheriff’s Office has put into place multiple ways for inmates to report a sexual abuse or sexual harassment incident. However, interviews with random inmates revealed that the inmates are not retaining the information they are provided through the video, handbook, posters and flyers. All of the interviews with inmates confirmed that they received training on IPREA shortly after booking by watching a video and received a PREA flyer and inmate handbook that contained information on how to report a sexual assault or sexual harassment. All stated that information is posted on the wall of the housing unit, and is in the inmate handbook. All knew they could access a hotline number on the phone. However, most of the inmates were unable to explain to the auditor all the ways to report a sexual abuse or sexual harassment incident. Most were uncertain whether there was a way to report an incident outside the facility. And most were not aware whether the calls were monitored.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.6
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
PREA Inmate Acknowledgement Form and random signatures
Inmate Handbook
IPREA flyers
IPREA Posters displayed in dayrooms
Interviews with random inmates and staff

CORRECTIVE ACTION REQUIRED:

1. The Power County Detention Center policy, flyer, and handbook should be revised so that all have the same information on ways to report a sexual abuse or sexual harassment.
2. The Power County Detention Facility should add to the flyer and handbook calls that are free and unmonitored.
3. The Power County Detention Center should post more detailed information by the phones in the dayrooms that includes ways to report inside and outside the facility along with phone numbers of those agencies.
4. Power County Detention Center policy should be amended to require frequent comprehensive training given to inmates to make them aware of the ways to report.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

The auditor returned to the Power County Detention Center on August 25, 2017 and was provided supplemental documentation and explanation to evidence and demonstrate corrective actions taken by Power County regarding this standard. These are discussed below:

Additional Documentation Reviewed:

1. Flyer that includes all the ways to report a sexual abuse
2. Inmate Handbook

The Power County Detention Center has added to its flyers all the ways to report a sexual abuse and sexual assault and has posted the flyer in the housing units in both English and Spanish. The inmate handbook has also been revised to include all of the ways to report. The flyer and the inmate handbook also inform the inmates which calls are free and unmonitored.

The Power County Detention Center has revised the policy to require comprehensive training be provided to inmates on a regular basis. Sgt. Canfield meets with each housing unit once a week and discusses IPREA and all of the ways to report. And, the inmates are given weekly quizzes on IPREA and how to report. Inmates are also now required to watch the IPREA video before being taken to general population.

Interviews with five randomly selected inmates confirmed that the inmates know many ways how to report a sexual abuse and a sexual assault. They were able to list inside methods to report, outside methods to report, third party reports, reporting anonymously, and contacting Family Services Alliance if an advocate is needed.

The auditor finds that the Power County Detention Center is now fully compliant with this standard.

Standard 115.52 Exhaustion of administrative remedies

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

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

The Power 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.

Standard 115.53 Inmate access to outside confidential support services

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

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

115.53(a and c) The Power County Detention Center does not have an MOU with Family Services Alliance 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. There is also no documentation showing any attempt to enter into an MOU with Family Services Alliance. Therefore the auditor finds that the Power County Detention Center does not meet this part of the standard.

Information on how to contact Family Services Alliance is in the inmate handbook and flyer but there is nothing that tells the inmates the calls are free or unmonitored. Interviews with random inmates revealed that some of the inmates were aware there were advocacy services available but had no idea who they were, how to contact them, or if the calls were free. Other inmates weren’t aware whether there were any advocacy services available. Therefore, the auditor finds that the Power County Detention Center does not meet this part of the standard.

The Power County Detention Policy 15.6 enables communication between the advocate and the victim in as confidential manner as is possible.

115.53(b) Prior to giving the inmate access to the advocate, the Power County Detention Center Policy 15.6 states that the agency explains to the inmate the extent that the communication will be monitored. The advocate is offered free of charge to the inmate. The facility will also explain to the inmate that information may be relayed from the victim advocate in order to initiate and conduct an investigation into the sexual abuse allegation in accordance with mandatory reporting laws.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.6
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
IPREA informational flyer
Interviews with random inmates
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator

CORRECTIVE ACTION REQUIRED:

1. The Power County Detention Center should post in the housing unit all ways for inmates to report sexual abuse and sexual harassment to outside agencies and that the calls are free.
2. The Power County Detention Center should educate inmates about the services available for reporting sexual abuse and sexual harassment so that, upon request, the inmates will be able to explain the process to the auditor.
3. The Power County Detention Center should enter into an MOU with Family Services Alliance or document attempts to enter into an MOU with them.
4. The Power County Detention Center policy should be amended to require frequent comprehensive training given to inmates to make them aware of the ways to report.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

The auditor returned to the Power County Detention Center on August 25, 2017 and was provided supplemental documentation and explanation to evidence and demonstrate corrective actions taken by Power County regarding this standard. These are discussed below:

Additional Documentation Reviewed:

1. Flyer that includes all the ways to report a sexual abuse
2. Inmate Handbook
3. MOU Between Family Services Alliance of Southeast Idaho and the Power County Sheriff's Office and Power County Detention Center

The Power County Detention Center has added to its flyers all the ways to report a sexual abuse and sexual assault and has posted the flyer in the housing units in both English and Spanish. The inmate handbook has also been revised to include all of the ways to report. The flyer and the inmate handbook also inform the inmates which calls are free and unmonitored.

The Power County Sheriff's Office and the Power County Detention Center have entered into an MOU with Family Services Alliance to provide advocacy services to inmates who are sexually assaulted, when needed. There is no charge to inmates to have an advocate assist them.

The Power County Detention Center has revised the policy to require comprehensive training be provided to inmates on a regular basis. Sgt. Canfield meets with each housing unit once a week and discusses IPREA and all of the ways to report. And, the inmates are given weekly quizzes on IPREA and how to report. Inmates are also now required to watch the IPREA video before being taken to general population.

Interviews with five randomly selected inmates confirmed that the inmates know many ways how to report a sexual abuse and a sexual assault. They were able to list inside methods to report, outside methods to report, third party reports, reporting anonymously, and contacting Family Services Alliance if an advocate is needed.

The auditor finds that the Power County Detention Center is now fully compliant with this standard.

Standard 115.54 Third-party reporting

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

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

115.54(a) The Power County Detention Center Policy 15.6 allows third parties to report a sexual abuse or sexual harassment incident on behalf of an inmate. The policy states that the agency provides information on its website, co.power.id.us/sheriffs-office and in the lobby of the Sheriff's Office on how to report a sexual abuse or sexual harassment of an inmate. However, this information is not posted either place. Therefore, the auditor finds that the Power County Detention Center does not meet this standard.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Policy 15.6
Completed Pre-Audit Questionnaire completed by Lt. Ainnette Silva
Power County Sheriff's Website: co.power.id.us/sheriffs-office

CORRECTIVE ACTION REQUIRED:

1. The Power County Detention Center should post on its website, or in the lobby, how a third party can report a sexual abuse or sexual harassment on behalf of an inmate.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

The auditor returned to the Power County Detention Center on August 25, 2017 and was provided supplemental documentation and explanation to evidence and demonstrate corrective actions taken by Power County regarding this standard. These are discussed below:

Additional Documentation Reviewed:

1. Information flyer on how a third party can report a sexual abuse or sexual harassment on behalf of an inmate.

The Power County Detention Center has created a flyer that explains to the public how to report an incident of sexual abuse or sexual harassment of an inmate. The flyer is available in the lobby of the Power County Sheriff's Office or by asking a detention deputy for a copy.

The auditor finds that the Power County Detention Center is now fully compliant with this standard.

Standard 115.61 Staff and agency reporting duties

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

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

115.61(a) The Power County Detention Policy 15.6 requires staff to immediately report any suspected or alleged sexual abuse or sexual harassment that occurred in a facility whether or not it is part of the agency. The policy also states that staff are required to report to the Jail Lieutenant, Sergeant, or Administration any retaliation against inmates or staff who report an incident and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. Interviews with random staff confirmed that they are aware of this policy.

115.61(b) Policy 15.6 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 they are aware of this policy.

115.61(c) An interview with a Medical practitioner within the facility confirmed the practitioner is required to report sexual abuse that is disclosed by inmates and, at the initiation of services, must inform the inmate of the duty to report the incident and the limitations of confidentiality. An interview with the practitioner revealed the practitioner knew the practice and also received the information in the IPREA training.

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

115.61(e) The Power County Detention Policy 15.6 states that all reports of allegations of sexual abuse and sexual harassment, including third-party and anonymous reports are referred to the facility's designated investigators.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.6
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
IPREA training curriculum
Interviews with random staff and medical practitioner
Interview with Chief Deputy Russell Max Sprague, Jail Administrator
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator

Standard 115.62 Agency protection duties

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

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

115.62(a) The Power County Detention Center reports that there have been no situations in the past twelve months where the facility determined an inmate was subject to a substantial risk of imminent sexual abuse. Inmates at substantial risk of imminent sexual abuse are either immediately removed from the housing unit and reassigned to other appropriate housing that ensures the inmate’s safety or the perpetrator is immediately reassigned to another housing unit, depending on the circumstances of the situation.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.6
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Interviews with random staff
Interview with Sheriff Jim Jeffries
Interview with Chief Deputy Russell Max Sprague, Jail Administrator

Standard 115.63 Reporting to other confinement facilities

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

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

115.63(a) The Power County Detention Policy 15.6 requires administration to report any sexual abuse allegation received regarding an inmate abused at another facility to the agency head, or appropriate officer, where the sexual abuse is alleged to have occurred. The Power County Detention Center reports that there were no reports of this type of allegation received.

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

115.63(c) The notification from the Power County Detention Center to the other agency is documented.

115.53(d) Power County Detention Center policy and practice require that allegations received from another facility of an inmate being sexually abused or sexually harassed in the Power County Detention Center are investigated in accordance with the IPREA standards. The Power County Detention Center reported that there was one allegation of this type reported during the twelve months prior to the audit and the allegation was determined to be unfounded.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.6
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Interview with Sheriff Jim Jeffries
Interview with Chief Deputy Russell Max Sprague, Jail Administrator

Standard 115.64 Staff first responder duties

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

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

115.64(a) The Power County Detention Policy 15.6 outlines in policy the responsibilities of all staff members receiving an allegation of sexual abuse. The policy details in depth the following guidelines for the first responder:

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

The Power County Detention Center reported that in the past twelve months, there were 2 allegations that an inmate was sexually abused or sexually harassed while in the facility. Neither incident required the above actions taken. At the time of the audit there were no victims available in the facility for interview by the auditor.

115.64(b) The Power County Detention Center Policy 15.6 states that when the first staff responder is not a security staff member, he or she shall request that the alleged victim not take any actions that could destroy physical evidence and then notify security staff immediately. There were no incidents in which a non-security staff member was the first responder during the audit cycle.

Interviews with random staff and supervisors confirmed that staff are very knowledgeable in their duties as a first responder to a sexual abuse or sexual harassment incident and have received the training in their yearly IPREA training.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.6
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Interviews with random staff
Interview with medical practitioner
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator

Standard 115.65 Coordinated response

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

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

115.65(a) The Power County Detention Center has a very detailed written institutional 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. The institutional plan is written in Policy 15.3.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.3
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Written institutional plan for coordinated response
Interviews with investigators and random staff
Interview with Chief Deputy Russell Max Sprague, Jail Administrator
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator

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

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These

recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Interview with Sheriff Jim Jeffries

Standard 115.67 Agency protection against retaliation

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

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

115.67(a and d) Power County Detention Policy 15.6 prohibits retaliation against inmates or staff members who report sexual abuse or sexual harassment and require monitoring of the inmate or staff member for retaliation. The agency reported that the Jail Commander is charged with monitoring retaliation. The Power County Detention Center reported that there have been no incidents of retaliation against an inmate or a staff member for reporting a sexual abuse or sexual harassment. An interview with the Jail Commander assigned to conduct the monitoring reflected that the monitoring occurs whenever a report of sexual abuse or sexual harassment is made and retaliation is reported. The monitoring will continue until the threat of retaliation has passed.

115.67(b) Power County Detention Center policy requires the facility to protect inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff. Such protections shall be afforded via housing changes to separate victims from abusers, removal of alleged staff members from contact with victims, and emotional support services for inmates or staff members who fear retaliation.

115.67(c) Power County Detention Policy 15.6 requires that, following a report of sexual abuse, the agency shall act promptly to remedy any allegation of retaliation against any inmate or staff member who reports sexual abuse or sexual harassment.

115.67(d) Policy also requires the facility to take proper measures to protect any other individual who has cooperated with an investigation and expresses a fear of retaliation. During the past twelve months, there have been no incidents where a person has expressed fear of retaliation and needed monitoring.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.6
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Interview with Sheriff Jim Jeffries
Interview with Chief Deputy Russell Max Sprague, Jail Administrator
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator

Standard 115.68 Post-allegation protective custody

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

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

115.68(a) The Power County Detention Policy does not prohibit staff from placing inmates who allege to have suffered sexual abuse in involuntary segregated housing unless the determination has been made that this housing assignment best protects the safety of the inmate and a review of other alternatives failed to provide adequate safety from likely abusers. When inmates are placed in involuntary segregation in order to separate the victim from the abuser, policy does not state that the placement is only for the time needed to finish the investigation and find alternative housing. The policy does not detail the procedures taken to maintain compliance with this standard. This standard is not written into policy and procedure. Therefore, the auditor finds that the Power County Jail does not meet the standard.

Interviews with random staff and inmates revealed no incidents of involuntary segregated housing being used for this purpose.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Interviews with random staff
Interview with Chief Deputy Russell Max Sprague, Jail Administrator
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator

CORRECTIVE ACTION REQUIRED:

1. The Power County Detention Center should develop policies and procedures that address this standard and how it will be achieved.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

The auditor returned to the Power County Detention Center on August 25, 2017 and was provided supplemental documentation and explanation to evidence and demonstrate corrective actions taken by Power County regarding this standard. These are discussed below:

Additional Documentation Reviewed:

1. Power County Detention Revised Policy 15.6

The Power County Detention Center has revised its policy to prohibit staff from placing inmates who allege to have suffered sexual abuse in involuntary segregated housing unless the determination has been made that this housing assignment best protects the safety of the inmate and a review of other alternatives failed to provide adequate safety from likely abusers. When inmates are placed in involuntary segregation in order to separate the victim from the abuser, policy states that 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.

The auditor finds the Power County Detention Center is now fully compliant with this standard.

Standard 115.71 Criminal and administrative agency investigations

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

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

115.71(a) Power County Detention Policy 15.7 requires that investigators initiate an investigation immediately upon receiving an allegation of sexual abuse or sexual harassment. Administrative and criminal investigations are done by the Power County detectives/patrol division, and when staff are allegedly involved, the case is turned over to Tri-County Investigators. This is done promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.

115.71(b) There is one investigators assigned to investigate sexual abuse and sexual harassment in the Power County Detention Center. However, there are three investigators who have taken the training so that there are backup investigators when needed. A review of training certificates confirmed that all three investigators have had the specialized training for investigators. This training was the NIC online training for investigators, “Investigating Sexual Abuse in a Confinement Setting”, available through the PREA Resource Center. This training included techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or referral to the prosecutor for criminal charges. In addition, all criminal allegations are investigated by patrol deputies/detectives who have had extensive training on sexual abuse investigations and use Miranda and Garrity warnings frequently in their regular jobs.

115.71(c) An interview with the criminal investigator 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. One of the two allegations during the audit cycle required viewing electronic monitor to view the incident. The other allegation was of sexual harassment.

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

115.71(e) Power County Detention Policy 15.7 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. The interview with the investigator confirmed that credibility is based on evidence, interviews, and the crime scene. Inmates who allege sexual abuse are not required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation.

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

115.71(g and h) Power County Detention Policy 15.7 and interviews with criminal investigators confirm that comprehensive reports are written at the conclusion of criminal investigations and the reports fully describe any physical, testimonial, and documentary evidence gathered, considered, or relied on. When it is practical, copies of documentary evidence are attached to the report. Substantiated criminal investigations are referred for prosecution, when warranted. During the past twelve months, there have not been any substantiated criminal abuse investigations in the facility.

115.71(i) All written reports referenced in 115.71(f and g) are retained for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

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

115.71(l) When Tri-County investigators are assigned to an investigation, the Power County Sheriff's Office and Power County Detention Center will cooperate fully with the investigators and will stay informed as to the progress of the investigation. The interview with the Power County investigator revealed that there is a very good working relationship between Tri-County investigators and the agencies they assist.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Power County Detention Center Policy 15.7
- Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
- Objectives for the NIC online course, "Investigating Sexual Abuse in a Confinement Setting"
- Training documentation for investigators completing the specialized training
- Interview with Power County criminal investigator
- Interview with Chief Deputy Russell Max Sprague, Jail Administrator
- Interview with Lt. Ainnette Silva, Jail Commander
- Interview with Sgt. John Canfield, IPREA Coordinator

Standard 115.72 Evidentiary standard for administrative investigations

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

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

115.72(a) Power County Detention Policy 15.7 requires the Power 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. The interview with the Power County Investigator confirmed that this is the standard of determination of substantiation.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Power County Detention Center Policy 15.7
- Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
- Interview with investigator
- Interview with Lt. Ainnette Silva, Jail Commander
- Interview with Sgt. John Canfield, IPREA Coordinator

Standard 115.73 Reporting to inmates

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

- Does Not Meet Standard (requires corrective action)

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

115.73(a) Power County Detention Center Policy 15.7 requires upon completion of any administrative or criminal investigation of sexual abuse or sexual harassment in the facility, the facility will inform the inmate as to whether the allegation was determined to be substantiated, unsubstantiated, or unfounded.

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

115.73(c) The Power County Detention Center Policy 15.7 states that following an inmate’s allegation that a staff member has committed sexual abuse against the inmate, the agency shall subsequently inform the inmate (unless the agency has determined that the allegation is unfounded) whenever:

1. The staff member is no longer posted within the inmate’s unit;
2. The staff member is no longer employed at the facility;
3. The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility;
4. The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility.

The Power County Detention Center reports that there hasn’t been a substantiated or unsubstantiated complaint of sexual abuse committed by a staff member against an inmate in the facility in the past 12 months.

This part of the PREA Policy requires the four notifications listed above which reflects the higher PREA standard so the auditor finds that the Power County Detention Center exceeds this part of the standard

115.73(d) Power County Detention Policy 15.7 requires that all notifications to inmates described under this standard are documented. The Power 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) The Power 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.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.7
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Interview with the Power County Investigator
Interview with Chief Deputy Russell Max Sprague, Jail Administrator
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator

Standard 115.76 Disciplinary sanctions for staff

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion

must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.76(a - c) Power County Detention Policy 15.8 requires any staff member found in violation of the agency sexual abuse or sexual harassment policies is subject to progressive discipline which includes sanctions up to and including termination. Progressive discipline considers the circumstances, the staff member's disciplinary history, and sanctions imposed for comparable offenses by other staff with similar histories when imposing sanctions. Termination is the presumptive disciplinary sanction for staff who have engaged in sexual abuse of an inmate.

115.76(d) All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to any relevant licensing bodies. All terminations and resignations are reported to Idaho P.O.S.T and if the case involves possible criminal charges, an investigation is done by Idaho P.O.S.T as well.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.8
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Interview with Chief Deputy Russell Max Sprague, Jail Administrator
Interview with Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator

Standard 115.77 Corrective action for contractors and volunteers

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

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

115.77(a) The Power County Detention Policy 15.8 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 Power 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 Power 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.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.8
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Interview with Chief Deputy Russell Max Sprague, Jail Administrator

Standard 115.78 Disciplinary sanctions for inmates

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

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

115.78(a) The Power 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.

115.78(b) If the inmate is found guilty in the disciplinary hearing, the sanctions imposed will consider the circumstances of the incident, the disciplinary history of the inmate, and the sanctions imposed on others for similar violations. .

The Power County Detention Center reported that during the past twelve months, one allegation of staff-on-inmate sexual abuse was unfounded and one allegation of inmate-on-inmate sexual harassment was unfounded. No disciplinary process was done on any of the incidents.

115.78(c) Power County Detention Policy 15.8 requires that the disciplinary process considers whether an inmate’s mental disabilities or mental illness contributed to the behavior when determining what type of sanctions, if any, should be imposed.

115.78(d) The facility does not provide therapy, counseling, or other interventions for inmate abusers.

115.78(e) The Power 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 Power 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 Power 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.

115.79(f) Agency policy prohibits all sexual activity between inmates but doesn’t deem such activity sexual abuse unless it is determined that the activity was coerced. Power County Detention Center reported that, during the past twelve months, there was one instance of coerced sexual activity between inmates that did not rise to a criminal investigation.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.8
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Inmate Handbook
Interview with Chief Deputy Russell Max Sprague, Jail Administrator
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator

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

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

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

115.81(a and c) When an inmate discloses sexual abuse either at an institutional facility or in a community setting, Power County Detention Policy 15.9 requires the staff member receiving the information report this to the Medical Provider to ensure a follow-up meeting is done within 14 days with a medical practioner and a mental health practitioner.

115.81(d) Information related to sexual victimization that occurred in an institutional setting is not strictly limited to medical and mental health practitioners. After booking, the information shared with staff is strictly limited to informing security and management decisions, including treatment plans, housing, work, bed, education, and program assignments. The Jail Commander and the IPREA Coordinator are the only staff who have access to the actual risk screening instrument.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Power County Detention Center Policy 15.9
- Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
- Intake Risk Assessment Form
- Interview with Medical Health practitioner
- Interview with Chief Deputy Russell Max Sprague, Jail Administrator
- Interview with Sgt. John Canfield, IPREA Coordinator

Standard 115.82 Access to emergency medical and mental health services

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

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

115.82(a) The interview with the Medical Health practitioner confirmed that inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services. The Power 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) If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse, the First Responder will take preliminary steps to protect the inmate and will immediately notify the appropriate medical and mental health practitioners. When necessary, all victims are transported to Portneuf Regional Medical Center where SAFE or SANE exams are conducted. Inmates are offered a victim's advocate to accompany them through the exam and subsequent investigation.

115.82(c) An interview with the 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 Power 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) In all circumstances of sexual abuse within the facility, treatment and advocates are provided to the victim inmate free of charge.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.9
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Interview with Medical Health practitioner
Interview with Chief Deputy Russell Max Sprague, Jail Administrator
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator

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

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

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

115.83(a - c) Power County Detention Center Policy 15.9 requires health evaluations and, as appropriate, treatment to all inmates who have been sexually abused in any correctional institution. An interview with the Medical Health practitioner confirmed that the care is consistent with the community level of care and they will offer referrals to the inmate for continuing care, when necessary, when the inmate leaves the facility. The Power 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 -e) An interview with the Medical Practitioner 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 interview also confirmed that inmates who have been sexually abused are offered tests for sexually transmitted infections, as medically appropriate. Medical practitioners will provide ongoing treatment to inmates, when needed.

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

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.9
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Interview with Medical Health practioner
Interview with Chief Deputy Russell Max Sprague, Jail Administrator
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator

Standard 115.86 Sexual abuse incident reviews

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

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

115.86(a) Power County Detention Policy 15.10 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. The policy states that the team will consist of the Jail Administrator, Jail Commander, Jail Sergeant, and the IPREA Coordinator.

115.86(b - e) The review occurs within 30 days of the incident. Recommended improvements are implemented when made or documentation is kept if the improvements are not implemented. The Power County Detention Center reports that there have been no incident reviews done at the time of the audit as both allegations were unfounded.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.10
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Interviews with investigative staff
Interview with Chief Deputy Russell Max Sprague, Jail Administrator
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator

Standard 115.87 Data collection

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

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

115.87(a) Power County Detention Policy 15.10 requires that the agency collect accurate, uniform data for every allegation of sexual abuse at the facility and use a standardized instrument and set of definitions. The data collected will include, at a minimum, the data necessary to answer all of the questions from the most recent version of the Survey of Sexual Violence. The agency has not yet kept the information but will immediately begin using the actual Survey of Sexual Violence form to document the data.

115.87(b and c) Policy directs the IPREA Coordinator to aggregate the data annually and prepare a report. However, no annual report has

been written. Therefore, the auditor finds that the Power County Jail does not meet this part of the standard.

115.87(d) The Power County Detention policy and practice require the collection of the data in accordance with this standard. However, the data has not yet been collected so no review of the data has been done in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training. Therefore, the auditor finds that the Power County Detention Center does not meet this part of the standard

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

Power County Detention Center Policy 15.10
Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
Interview with Chief Deputy Russell Max Sprague, Jail Administrator
Interview with Lt. Ainnette Silva, Jail Commander
Interview with Sgt. John Canfield, IPREA Coordinator

CORRECTIVE ACTION REQUIRED:

1. The Power County Detention Center should collect and aggregate the sexual abuse data yearly on a standardized instrument.
2. The Power County Detention Center should prepare a report annually on the aggregated data.
3. The Power County Detention Center should review the data collected and document the review in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training.

VERIFICATION OF CORRECTIVE ACTION SINCE THE AUDIT:

The auditor returned to the Power County Detention Center on August 25, 2017 and was provided supplemental documentation and explanation to evidence and demonstrate corrective actions taken by Power County regarding this standard. These are discussed below:

Additional Documentation Reviewed:

1. Standardized Instrument to collect and aggregate the data

The Power County Detention Center is using the Department of Justice's Survey on Sexual Violence as its standardized instrument to collect and aggregate data. The instrument has been completed for the time prior to the audit.

Lt. Silva and Sgt. Canfield confirmed that the annual report will be written at the end of December each year so no annual report has yet to be done. It is in policy that the Power County will review the data collected at the end of each year and document the review in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training.

The auditor finds that the Power County Detention Center is now fully compliant with this standard.

Standard 115.88 Data review for corrective action

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

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

This standard has been deleted for IPREA

Standard 115.89 Data storage, publication, and destruction

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

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

115.89(a - b) Power County Detention Policy 15.10 requires that data collected according to this standard is securely retained and will maintain sexual abuse data for at least 10 years after the date of the initial collection.

POLICY, MATERIALS, INTERVIEWS AND OTHER EVIDENCE REVIEWED:

- Power County Detention Policy 15.10
- Completed Pre-Audit Questionnaire submitted by Lt. Ainnette Silva
- Interview with Sheriff Jim Jeffries
- Interview with Chief Deputy Russell Max Sprague, Jail Administrator
- Interview with Lt. Ainnette Silva, Jail Commander
- Interview with Sgt. John Canfield, IPREA Coordinator

AUDITOR CERTIFICATION

I certify that:

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

Cynthia Malm

9/1/17

Auditor Signature

Date