

PREA AUDIT REPORT Interim Final
ADULT PRISONS & JAILS

Date of report: July 27, 2016

Auditor Information			
Auditor name: Chris Sweney			
Address: P.O. Box 8840 Omaha, NE 68108			
Email: csweney.prea@gmail.com			
Telephone number: (402) 658-0344			
Date of facility visit: July 13 th 2016			
Facility Information			
Facility name: Labette County Jail			
Facility physical address: 718 5th Street, Oswego, KS 67356			
Facility mailing address: <i>(if different from above)</i> Click here to enter text.			
Facility telephone number: (620) 795-2997			
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: Sgt. Dianna Gravett			
Number of staff assigned to the facility in the last 12 months: 15			
Designed facility capacity: 84			
Current population of facility: 74			
Facility security levels/inmate custody levels: Min/Med/Max			
Age range of the population: 18-61			
Name of PREA Compliance Manager: Steve Higgins		Title: Undersheriff	
Email address: shiggins@labettecounty.com		Telephone number: (620) 795-2565	
Agency Information			
Name of agency: Labette County Sheriff's Department			
Governing authority or parent agency: <i>(if applicable)</i> Labette County			
Physical address: 718 5th Street, Oswego, KS 67356			
Mailing address: <i>(if different from above)</i> Click here to enter text.			
Telephone number: (620) 795-2997			
Agency Chief Executive Officer			
Name: Robert D. Sims		Title: Sheriff	
Email address: rsims@labettecounty.com		Telephone number: (620) 795-2565	
Agency-Wide PREA Coordinator			
Name: Steve Higgins		Title: Undersheriff	
Email address: shiggins@labettecounty.com		Telephone number: (620) 795-2565	

AUDIT FINDINGS

NARRATIVE

An audit of the Labette County Jail was conducted on July 13th, 2016 by Chris Sweney, Certified PREA auditor. I was greeted by the PREA Coordinator and Jail Administrator and talked with them briefly about the schedule for the audit. A tour of the facility was conducted from 0815 – 1000. The areas toured were all male and female housing units, booking, laundry, recreation, central control, medical and administration. During the tour inmates and staff were briefly questioned about basic PREA information available. Pre Audit posters were observed in all housing units and common areas. No inmates specifically requested to speak with this auditor nor had this auditor received any written correspondence from inmates or staff prior to the onsite visit.

The Jail Administrator provided the auditor with a roster of staff assigned to the Jail. A total of six (3) random staff interviews from the day shift were conducted. The Sheriff, Jail administrator and PREA Coordinator were also interviewed. All specialized staff interviews were completed except SANE/SAFE, all SANE/SAFE exams are performed by the Oswego Community Hospital. Facility medical staff was aware of their role within the PREA standards and confirmed that victims of sexual abuse would be treated off site.

The Jail Administrator provided the auditor with a list of all (75) inmates at the facility. Inmates were randomly selected by the auditor. At least one inmate from each housing unit was interviewed. There were no limited English, or vision impaired inmates. Additionally, there were no transgender, gay, lesbian or intersex inmates in the facility. A total of 11 (9 male, 2 female) random inmate interviews were completed.

The Labette County Jail reported zero instances of either sexual abuse or harassment for the audit period. The process for investigating sexual abuse and harassment was thoroughly discussed and understood by all administrative staff and investigators. A comprehensive process is in place if allegations of sexual abuse or harassment are made.

DESCRIPTION OF FACILITY CHARACTERISTICS

Opened in 1983, Labette County operates an 84-bed, Linear style jail. The Labette County Jail is located at 718 5th Street, Oswego, Kansas and is under the operational control of the Labette County Sheriff's Office. The facility is divided into five (5) blocks. "A" block has five cells; A-1, A-2, A-3, and A-4 each house two inmates, A-5 houses four inmates for a total of twelve beds. "B" block also has five cells, B-1, B-2, and B-3 each house two inmates, and B-4 and B-5 each house four inmates. "B" block also has two "Administrative Observation" beds. "B" block can house a total of sixteen inmates. "C" block has five cells. C-1 and Special Management II each have two beds. C-3 and C-4 can both hold four inmates and Special Management I is used to observe inmates that have been placed in a restraint chair. "C" block has a total of twelve beds, but may have thirteen inmates if an inmate is under observation in Special Management I. "D" block is the trustee dorm and has four beds. "E" block is divided into two dorms and houses a total of twelve inmates. "F" block has seven cells each with four beds for a total of twenty-eight. Recreation yards are located between "A" and "B" block and "C" and "D" block. Housing is available for inmates of security levels ranging from minimum to maximum. The booking area is made up of a two (2) vehicle sally port, processing area and two holding cells. The Labette County jail has a significant number of cameras throughout the facility which are continually monitored. Cameras are positioned in a way which allows staff of both genders to maintain security while allowing inmates private access to restroom areas and showers. All staff and visitor access to the secure side of the jail is controlled at the front entrance.

SUMMARY OF AUDIT FINDINGS

Number of standards exceeded: 2

Number of standards met: 40

Number of standards not met: 0

Number of standards not applicable: 1

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.

The Labette County Jail has a zero tolerance policy towards all forms of sexual abuse and harassment. This policy outlines how the department prevents, detects, and responds to incidents of sexual abuse and sexual harassment. The policy also includes definitions of prohibited behaviors and sanctions for those who participated in those behaviors. The policy includes a description of agency strategies and responses to reduce and prevent sexual abuse and sexual harassment of inmates.

The agency's designated PREA Coordinator is indicated by memorandum and in the department's organizational chart. The PREA Coordinator indicated during his interview that he has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Labette County Jail Organizational Chart – Chain of Command
Labette County Jail Memorandum - Prison Rape Elimination Act (PREA) Coordinator/Manager
Jail Administrator
PREA Coordinator/Compliance Manager interview

Corrective Action

No corrective action needed

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.

The Labette County Jail does not contract for the confinement of their inmates. Labette County does however; contract to provide housing for the Kansas Department of Corrections and Sedgwick County Kansas.

Policy, Materials, Interviews and Other Evidence Reviewed

AGREEMENT-Labette County and Sedgwick County
AGREEMENT-Labette County and the Kansas Department of Corrections

Corrective Action

PREA Audit Report

No corrective action needed

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.

The Labette County Jail is a linear facility and has a staffing plan which accounts for generally accepted detention and correctional practices; Labette County follows applicable State and local laws, regulations and standards to determine staffing levels. Labette County has no Judicial, Federal or other internal or external findings of inadequate staffing. All components of the facility’s physical plant, composition of the inmate population and placement of supervisory staff are also considered.

Deviations from the staffing plan are documented and reported to the Jail Administrator. Staffing requirements are assessed annually and adjustments are made if necessary.

Unannounced rounds are completed by supervisors on each shift and documented on *the PREA Unannounced Supervisor Rounds* form. Labette County provided a copy of their Unannounced Rounds form with the pre-audit documentation which shows this as a regular practice. During the onsite visit, supervisors demonstrate how unannounced rounds are documented. Inmate interviews also indicated that supervisors made regular rounds. Policy prohibits staff from alerting other staff members that supervisory rounds are occurring.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Labette County Jail PREA Yearly Plan Review
Labette County Jail PREA Unannounced Supervisor Rounds Form
Random Staff Interviews
Random Inmate Interviews

Corrective Action

No corrective action needed

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.

The Labette County Jail does not generally house youthful offenders. It does however, have policies which provide for sight and sound separation between youthful inmates and adult inmates, and direct staff supervision when youthful inmates are being processed into the facility during booking. Youthful offenders from Labette County are sent to Southeast Kansas Juvenile Detention Center in Girard, Kansas

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Jail Administrator Interview
PREA Coordinator Interview

Corrective Action

No corrective action needed

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.

Labette County Jail policy prohibits cross-gender pat searches, strip searches or cross-gender visual body cavity searches. All strip searches are authorized by a supervisor and documented. The facility has implemented policies and procedures that enable inmates to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except when such viewing is incidental to routine checks. Jail staff is trained to conduct cross-gender pat-down searches, in case of an emergency, and searches of transgender and intersex inmates using the least intrusive method possible. Staff interviews showed a thorough understanding of the arrestee/inmate search policy. Labette County’s CCTV system had one area which was identified where cross-gender staff could view inmates using the restroom. Immediate action was taken to partially obscure this area to allow for more privacy while still maintaining security. Random inmate interviews revealed that appropriate staff is conducting searches.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
PREA Resource Center *Guidance on Cross-Gender and Transgender Pat Search* Video
Staff training certificates
Random Staff interviews
Random Inmate interviews

Corrective Action

No corrective action needed

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.

The Labette County Jail takes steps and has a policy which ensures 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. Labette County provides inmates with materials which are available in English and Spanish. Additionally, the facility has one Spanish translator available if needed. They also have access to a translation hotline. PREA posters and educational materials are provided in English and Spanish. Inmates who are deaf are provided PREA information thru written form, i.e. PREA guidelines, Education Brochure and Video with subtitles. TTY phone is provided for inmates who are hearing impaired. Inmate who are blind or sight impaired may have an officer read them the PREA guidelines and Education Brochure. PREA Videos are available with subtitles. Inmates who are intellectually challenged or have mental health issues, may have an officer, medical staff or outside resources such as a mental health personnel to ensure they understand the PREA guidelines. Labette County doesnot rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise an inmate’s safety, the performance of first-responder duties, or the investigation of an inmate’s allegations.

Policy, Materials, Interviews and Other Evidence Reviewed

- Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
- Labette County Jail PREA Brochure (English/Spanish)
- Labette County Jail PREA Posters (English/Spanish)
- Labette County Jail PREA Guidelines (English/Spanish)
- Labette County Jail PREA Video Acknowledgement (English/Spanish)
- PREA Video - What You Need to Know (CC)
- PREA Video - What You Need to Know (Spanish)
- Staff and Inmate Interviews

Corrective Action

No corrective action needed

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.

The Labette County Jail policy prohibits hiring and/or promoting anyone who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution. Labette County completes criminal background checks on all new employees, contract staff and volunteers before they are allowed to have contact with inmates. Labette County’s policy requires that all new employees be asked whether they have engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution; been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse or been civilly or administratively adjudicated to have engaged in the activity

described above. At the time of the initial site visit Labette County did not have process to document these questions where being asked.

Criminal background checks are repeated each year for current employees, contract staff and volunteers. Nothing found in policy prohibit Labette County from providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee if requested from an institutional employer for whom such employee has applied to work.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Labette County Employment Application
Background checks for current staff and volunteers
Jail Administrator Interview
Staff Interviews

Corrective Action

As of 7/15/2016 Labette County has developed and implemented a form which documents that all new employees are asked about prior sexual abuse and harassment.

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.

The Labette County Jail considers the effect of any new design, acquisition, expansion, or modification on the agency's ability to protect inmates from sexual abuse. Labette County Jail opened in 1983. There have been no additions or major modifications to the facility since the PREA standards where adopted. .

Protection of inmates from sexual abuse through the installation of electronic surveillance and other technology is continuously evaluated. Labette County has 32 cameras placed throughout the facility. Over the next year Labette County plans to add additional cameras and replace existing cameras throughout the facility with cameras that also have audio capability.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Facility Tour
Pre-Audit Questionnaire
Facility Diagrams (Camera Placement)

Corrective Action

No corrective action needed

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.

The Labette County Jail is not responsible for conducting criminal investigations for sexual abuse; all criminal investigations requiring forensic evidence collection are turned over to the Labette County Sheriff’s office. The Labette County Sheriff’s Office is part of the Labette County Sexual Assault Response Team (SART). Forensic medical examinations are conducted by properly trained medical staff at Oswego Community Hospital. Labette County provides victim advocates from Safehouse Crisis Center located in Pittsburg Kansas.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Oswego Community Hospital Website (<http://www.oswegocommunityhospital.com>)
Safehouse Crisis Center Inc. website. (<http://www.safehousecrisiscenter.org>)
Jail Administrator Interview
Random Staff Interviews

Corrective Action

No corrective action needed

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.

The Labette County Jail has a policy that all allegations of sexual abuse and sexual harassment be referred for investigation to appropriate law enforcement authorities. Administrative investigations are conducted by the Undersheriff/PREA Coordinator. Criminal investigations not involving staff are forwarded to the Labette County Sheriff’s Office and investigations involving staff are investigated by the state Criminal Investigations Bureau. The Labette County PREA policy is posted on Labette County Jail webpage. Staff interviews showed an awareness of the responsibilities of each agency and inmates were confident that allegations of sexual abuse and harassment would be investigated.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Labette County Jail Website (<http://www.labettecountyssheriff.org/jail>)
Jail Administrator Interview
Random Staff Interviews
Random Inmate Interviews

Corrective Action

No corrective action needed

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.

The Labette County Jail provides all staff with training which includes their zero tolerance policy, how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies, inmates’ right to be free from sexual abuse and sexual harassment, the right of inmates and employees to be free from retaliation for reporting abuse and all other components of this standard. Employee training is documented and maintained in the employee’s personnel file. Staff interviews verified a comprehensive understanding of PREA related training.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
National Institute of Corrections (NIC) *PREA: Your Role Responding to Sexual Abuse* online training curriculum
National Institute of Corrections (NIC) *Communicating Effectively and Professionally with LGBTI Offenders*
PREA Resource Center *Guidance on Cross-Gender and Transgender Pat Search* Video
Just Detention International *PREA: What you need to know* Video
Staff Certificates of Completion
Random Staff Interviews

Corrective Action

No corrective action needed

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.

The Labette County Jail ensures that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency’s sexual abuse and sexual harassment prevention, detection, and response policies. Each volunteer and contractor is given information about PREA prior to entering the facility. Training for volunteers and contractors is documented and maintained.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Labette County Jail Volunteer Brochure
Labette County Jail Volunteer Call List - Training Log

Corrective Action

No corrective action needed

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.

During the intake process Labette County provides inmates with information explaining the agency’s zero-tolerance policy regarding sexual abuse and sexual harassment and how to make a report. At the time of the onsite visit Labette County was providing comprehensive PREA educational materials at the time of intake but follow-up educational materials were not being provided again within thirty (30) days. Inmates acknowledge they have received and understand the information provided. Documentation is maintained in the inmates detention file. In addition to formal education the facility also provides information in the form of posters, handouts and information in the inmate *Labette County Jail Guidelines*.

Policy, Materials, Interviews and Other Evidence Reviewed

- Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
- Labette County Jail PREA Brochure (English/Spanish)
- Labette County Jail PREA Posters (English/Spanish)
- Labette County Jail PREA Guidelines (English/Spanish)
- Labette County Jail PREA Video Acknowledgement (English/Spanish)
- PREA Video - What You Need to Know (CC)
- PREA Video - What You Need to Know (Spanish)

Corrective Action

As of 07/15/2016 Labette County has developed and implemented a process to provide PREA information to inmates at intake and again within thirty (30) days.

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.

The Labette County Jail provides specialized investigative training to internal investigators responsible for investigations within
PREA Audit Report

the Jail. The training covers techniques for interviewing sexual abuse victims, Miranda and Garrity warnings, sexual abuse evidence collection and criteria and evidence required to substantiate a case for administrative action or prosecution. Training is documented and maintained in the investigator's personnel file.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
National Institute of Corrections (NIC) *PREA: Investigating Sexual Abuse in a Confinement Setting (3 Hour)*
Certificate of Completion
Sheriff's Interview
PREA Coordinator Interview
Investigator Interview

Corrective Action

No corrective action needed

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)

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The Labette County Jail contracts with Advanced Correctional Healthcare for medical and mental health services. Medical staff receives PREA related training from both their parent company and Labette County. Specialized training includes how to detect and assess signs of sexual abuse and sexual harassment, preservation of physical evidence, responding effectively and professionally to victims of sexual abuse, and how and to whom to report sexual abuse. Labette County maintains documentation of specialized medical training in the employee's personnel file.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Advanced Correctional Healthcare – Healthcare Staff Responsibilities for PREA
Training Log Sheet – PREA Healthcare Staff Responsibilities
Medical Staff Certificates of Completion
Medical Staff interviews

Corrective Action

No corrective action needed

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.

The Labette County Jail screens all inmates for risk of victimization and abusiveness upon arrival. The screening is completed within the first seventy-two (72) hour. The screening instrument includes whether the inmate has a mental, physical, or developmental disability, the age and physical build of the inmate, previously incarceration history, whether the inmate's criminal history is exclusively nonviolent, prior convictions for sex offenses, whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming, past sexual victimization, self-perception of vulnerability and civil immigration status.

Within the first thirty (30) days of arrival at the facility, staff reassesses the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening.

Inmates are not disciplined for refusing answer questions during the screening process. Information obtained during the initial assessment and reassessment is placed in the inmate's classification file. Only authorized staff has access to these files.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act

Labette County PREA Risk Assessment

Inmate Detention Files

Booking Staff Interviews

Random Staff Interviews

Random Inmate Interviews

Corrective Action

No Corrective Action Needed

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.

The Labette County Jail uses information from the risk assessment to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive. Labette County makes individualized determinations about how to ensure the safety of each inmate.

Transgender or intersex inmate's housing is considered on a case-by-case basis, placement considers the inmate's health and safety, and whether the placement would present management or security problems. Transgender or intersex inmate's placement is reassessed as needed.

Transgender or intersex inmate's own view with respect to his or her own safety is given consideration.

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

Labette County does not place lesbian, gay, bisexual, transgender, or intersex inmates in a dedicated unit based solely on identification or status.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Labette County PREA Risk Assessment
Booking Staff Interviews
Random Inmate Interviews

Corrective Action

No corrective action needed

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.

The Labette County Jail does not have a separate protective custody unit, however, two cells are available in the booking area to separate inmates as needed. Inmates that report sexual abuse may be housed separately until an investigation is completed. An assessment of the offender is completed within 24 hours and every 7 days thereafter to determine the offender’s status. Inmates in protective custody are seen daily by medical and mental health staff.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act Inmate
Inmate Detention Files
Booking Staff Interviews
Random Inmate Interviews

Corrective Action

No corrective action needed

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.

The Labette County Jail provides multiple ways for offenders to report sexual abuse, sexual harassment, retaliation and staff neglect. Inmates may contact Safehouse Crisis Center in Pittsburg, Kansas via a 24/7 hotline or they may write the address provided. Staff accepts reports made verbally, in writing, anonymously, and from third parties. Staff may also privately report

sexual abuse themselves. All reports are documented and investigated by qualified staff. Labette County does not house civil immigration detainees. Inmate interviews showed a thorough understanding of multiple mechanisms to report sexual abuse and harassment.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act Inmate Safehouse Crisis Center Inc. website. (<http://www.safehousecrisiscenter.org>)

Labette County Jail PREA Brochure (English/Spanish)

Labette County Jail PREA Posters (English/Spanish)

Labette County Jail PREA Guidelines (English/Spanish)

Labette County Jail PREA Video Acknowledgement (English/Spanish)

PREA Video - What You Need to Know (CC)

PREA Video - What You Need to Know (Spanish)

Random Staff Interviews

Random Inmate Interviews

Corrective Action

No corrective action needed

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.

Labette County does not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual assault/abuse. Labette County does not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual assault/abuse. Labette County ensures that an inmate who alleges sexual assault/abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and such grievance is not referred to a staff member who is the subject of the complaint. Labette County issues a final decision on the merits of any portion of a grievance alleging sexual assault/abuse within 90 days of the initial filing of the grievance. Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal. Labette County may claim an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. Labette County notifies the inmate in writing of any such extension and provide a date by which a decision will be made. At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, the inmate may consider the absence of a response to be a denial at that level. Labette County may discipline an inmate for filing a grievance related to alleged sexual assault/abuse only where the agency demonstrates that the inmate filed the grievance in bad faith. An inmate is not punished for reporting sexual assault/abuse in cases where the allegation is substantiated or unsubstantiated, as there is no proof in these cases that the alleged sexual violence did not happen. For unfounded allegations, a determination of bad faith should be driven by the particular factors of the case. The Jail Administrator will consider the totality of circumstances and all the facts together to determine if an inmate was intentionally making a report or allegation that he or she knew was false.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act Inmate

Labette County Jail PREA Brochure (English/Spanish)

Labette County Jail PREA Posters (English/Spanish)
Labette County Jail PREA Guidelines (English/Spanish)

PREA Coordinator Interview
Random Inmate Interviews

Corrective Action

No corrective action needed

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.

The Labette County Jail provides inmates with access to outside support services through a contract with Safehouse Crisis Center Inc. Inmates may contact the Safehouse Crisis Center by toll-free hotline or they may write to their office in Pittsburg, Kansas. Documentation is provided to each inmate upon intake into the facility and information is posted in all living units. Additional information is available upon request. Inmates are informed that phone calls may be monitored and incoming and outgoing mail may be checked.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act Inmate Safehouse Crisis Center Inc. website. (<http://www.safehousecrisiscenter.org>)
Labette County Jail PREA Brochure (English/Spanish)
Labette County Jail PREA Posters (English/Spanish)
Labette County Jail PREA Guidelines (English/Spanish)
Labette County Jail PREA Video Acknowledgement (English/Spanish)
PREA Video - What You Need to Know (CC)
PREA Video - What You Need to Know (Spanish)
Random Staff Interviews
Random Inmate Interviews

Corrective Action

No corrective action needed

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.

The Labette County Jail accepts and investigates third-party reports of sexual abuse and harassment. Information is posted in the visiting area and available on the Labette County Jail website. Staff and inmate interviews reflected an understanding of this standard. Inmates were very confident that third party reports would be investigated.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act Inmate
Labette County Jail website (<http://labettecountykssheriff.org/jail>)
Labette County Jail PREA Brochure (English/Spanish)
Labette County Jail PREA Posters (English/Spanish)
Labette County Jail PREA Guidelines (English/Spanish)
Labette County Jail PREA Video Acknowledgement (English/Spanish)
PREA Video - What You Need to Know (CC)
PREA Video - What You Need to Know (Spanish)
Random Staff Interviews
Random Inmate Interviews

Corrective Action

No corrective action needed

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.

The Labette County Jail policy requires all staff to immediately report and document sexual abuse and sexual harassment, including third-party and anonymous reports. Staff is prohibited from discussing information related to sexual abuse reports with anyone other than those directly involved. Contract medical staff is required to report sexual abuse and harassment. During the initial medical screening, medical staff notifies inmates of their duty to report and limits to confidentiality.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act Inmate
Labette County Jail website (<http://labettecountykssheriff.org/jail>)
Labette County Jail PREA Brochure (English/Spanish)
Labette County Jail PREA Posters (English/Spanish)
Labette County Jail PREA Guidelines (English/Spanish)
Labette County Jail PREA Video Acknowledgement (English/Spanish)
Sheriff Interview
Jail Administrator Interview
PREA Coordinator Interview
Medical Staff Interviews
Random Staff Interviews
Random Inmate Interviews

Corrective Action

No corrective action needed

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.

Labette County Jail policy and training requires immediate action to protect inmates that are at a substantial risk of sexual abuse. Inmate risk levels are assessed on a regular basis. Labette County provided documentation which shows inmates at a high risk of sexual abuse where housed appropriately.

Policy, Materials, Interviews and Other Evidence Reviewed

- Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act Inmate
- Labette County Jail website (<http://labettecountykssheriff.org/jail>)
- Labette County Jail PREA Brochure (English/Spanish)
- Labette County Jail PREA Posters (English/Spanish)
- Labette County Jail PREA Guidelines (English/Spanish)
- Labette County Jail PREA Video Acknowledgement (English/Spanish)
- Sheriff Interview
- Jail Administrator Interview
- PREA Coordinator Interview
- Medical Staff Interviews
- Random Staff Interviews
- Random Inmate Interview

Corrective Action

No corrective action needed

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.

The Labette County Jail has policies that address allegation when an inmate was sexually abused while confined at another facility, the policy require the Jail Administrator contact the agency head where the alleged abuse had occurred. This

notification shall be made within 72 hours of receiving the information and documented. During this audit year Labette County has not received information that would require this type of notification.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act Inmate Jail Administrator Interview
PREA Coordinator Interview

Corrective Action

No corrective action needed

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.

The Labette County Jail has a policy and provides training to all first responders which include the separation of the alleged victim and abuser; preservation and protection of the crime scene until appropriate steps can be taken to collect evidence; the collection of physical evidence, requesting that the alleged victim not take any actions that could destroy physical evidence, including, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and ensuring that the alleged abuser does not take any actions that could destroy physical evidence, including washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. Staff is very knowledgeable of their responsibilities when responding to reports of sexual abuse.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act National Institute of Corrections (NIC) *PREA: Your Role Responding to Sexual Abuse* online training curriculum
Just Detention International *PREA: What you need to know* Video
Staff Certificates of Completion
Random Staff Interviews

Corrective Action

No corrective action needed

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.

The Labette County Jail has a coordinated response plan which includes first responders, medical and mental health practitioners, investigators, and facility leadership. Additionally, the Labette County Sheriff's Office is a member of the Labette County Sexual Assault Response Team.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Oswego Community Hospital Website (<http://www.oswegocommunityhospital.com>)

Sheriff Interview

Jail Administrator Interview

PREA Coordinator Interview

Corrective Action

No corrective action needed

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 Labette County Jail has space and ability to protect inmates from known abusers. Nothing found in policy restricts administrative staff from removing staff during an investigation.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act

Sheriff Interview

Jail Administrator Interview

PREA Coordinator Interview

Corrective Action

No corrective action needed

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.

The Labette County Jail has policies and processes in place to protect inmates and staff that report sexual abuse and harassment. The PREA Compliance Manager is responsible for this process. Those that report are monitored for at least ninety (90) days. Monitoring includes any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. Labette County policy allows the monitoring period to be continued as needed. At the time of the onsite visit Labette County Policy had a process which required a 90 day monitoring period but did not have a formalized process to document how the monitoring would be conducted.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Jail Administrator Interview
PREA Coordinator Interview

Corrective Action

As of 07/15/2016, the PREA Compliance Manager has created a 90 day review form which includes inmate disciplinary reports, housing changes, program changes, grievances, good time changes, classification, behavior notes, changes in staffing, and other relevant information. The new form has been integrated it into their PREA policy.

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.

The Labette County Jail may use segregated housing to protect those that report sexual abuse. Victims placed in protective custody are monitored and seen by medical and mental health. Placement is reviewed within twenty-four hours and again within thirty days. Alternative housing is generally found within thirty days of placement. Labette County documents any restriction or loss of privileges due to being placed in protective custody. During the 12 months prior to the audit no inmate was placed on involuntary segregation after reporting sexual abuse.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Jail Administrator Interview
PREA Coordinator Interview

Corrective Action

No corrective action needed

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.

The Labette County Jail has a policy that all allegations of sexual abuse and sexual harassment be referred for investigation to appropriate law enforcement authorities. Administrative investigations are conducted by the Jail Administrator. Criminal investigations not involving staff are forwarded to the Labette County Sheriff’s Office and investigations involving staff are investigated by the state Criminal Investigations Bureau. Facility staff is required to cooperate fully with all internal and external investigations. Investigators receive specialized training to conduct investigations dealing with sexual assault and abuse. Evidence is collected using a uniform method that preserves evidence. Labette County policy requires that all documentation from investigations be maintained for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Jail Administrator Interview
PREA Coordinator Interview

Corrective Action

No corrective action needed.

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.

Interviews with investigative staff indicate that Labette County imposes a standard of preponderance of evidence for proof, or a lower standard, when determining whether allegations of sexual abuse or sexual harassment are substantiated. Investigation reports provided additional support further demonstrating compliance with this PREA standard. Labette County has not had any reports of sexual abuse or harassment within the past 12 months.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Investigative Staff Interview

Corrective Action

No corrective action needed

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.

The Labette County policy requires that inmates are informed whether allegations of sexual abuse have been determined to be substantiated, unsubstantiated, or unfounded. Facility staff meets with the inmate to discuss the findings. Processes are in place to notify an inmate of the outcome of an investigation involving staff sexual misconduct. Policy requires that an inmate is notified when the staff member is no longer posted in the inmate’s unit, the staff member is no longer employed at the facility, the staff member has been indicted on a charge related to the reported conduct, and/or the staff member has been convicted. Labette County has not had any reports of sexual abuse or harassment within the past 12 months. During the onsite visit Labette County did not have a formalized process to make such notifications.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
 Labette County PREA INVESTIGATION OUTCOME-INMATE NOTIFICATION FORM
 Jail Administrator Interview
 PREA Coordinator Interview

Corrective Action

As of 07/15/2016 Labette County has developed a form (*PREA INVESTIGATION OUTCOME-INMATE NOTIFICATION FORM*) and incorporated it into policy.

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.

The Labette County Jail has a policy that addresses staff sexual misconduct. Sanctions include termination and criminal prosecution. Termination is the presumptive disciplinary sanction for staff that engages in sexual misconduct. Investigations are completed even if the employee chooses to resign. Random staff interviews showed a clear understanding that sexual misconduct is not acceptable. Labette County has not had any instances which required staff to be terminated and/or prosecuted for sexual misconduct.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
 Jail Administrator Interview
 PREA Coordinator Interview
 Random Staff Interviews

Corrective Action

No corrective action needed

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.

The Labette County Jail has policies which address contractors and volunteers who engage in sexual abuse. Contractors and volunteers that engage in sexual abuse shall be prohibited from contact with inmates and shall be reported to law enforcement agencies and to relevant licensing bodies. Contract medical staff and volunteers were provided training on these policies and were aware of the consequences for engaging in sexual misconduct with an inmate. Labette County has not had any instances which required contractors and volunteers to be removed and/or prosecuted for sexual misconduct.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Contract Medical Staff Interview
Volunteer Interviews

Corrective Action

No corrective action needed

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.

The Labette County Jail has a formal disciplinary process which addresses inmates that engage in inmate-on-inmate sexual abuse. Sanctions are commensurate with the nature and circumstances of the abuse committed, the inmate’s disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories. Labette County’s disciplinary process considers whether an inmate’s mental status contributed to his or her behavior when determining what type of sanction to impose. Labette County’s policy allows for the punishment of an inmate for engaging in sexual contact with a staff member only if the staff member did not consent to the act. Inmate interview revealed an understanding that sexual contact between inmates and/or staff was not acceptable.

Policy, Materials, Interviews and Other Evidence Reviewed

- Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
- Labette County Jail PREA Brochure (English/Spanish)
- Labette County Jail PREA Posters (English/Spanish)
- Labette County Jail PREA Guidelines (English/Spanish)
- Labette County Jail PREA Video Acknowledgement (English/Spanish)
- PREA Coordinator Interview
- Random Inmate Interviews

Corrective Action

No corrective action needed

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.

Labette County Jail staff conducts medical screenings upon intake which are followed up by medical staff within fourteen days of the offender’s arrival at the facility. Information related to sexual victimization or abusiveness that occurred in an institutional setting is limited to medical and mental health practitioners and other select staff, informed consent is obtained before information is shared with additional staff.

Policy, Materials, Interviews and Other Evidence Reviewed

- Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
- Medical Staff interviews
- Random Inmate Interviews

Corrective Action

No corrective action needed

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.

Upon receiving a report of sexual abuse, the Labette County Jail does not restrict access to medical treatment. Victims are transferred to the Oswego Community Hospital and attended to by qualified medical staff at no charge. Victims of sexual abuse receive medical attention regardless of whether the victim names the abuser or cooperates with any investigation

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Medical Staff interviews
PREA Coordinator Interview
Random Staff Interviews

Corrective Action

No corrective action needed

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.

The Labette County Jail offers medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victims of sexual abuse in any facility. Labette County policy requires the evaluation and treatment of victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following transfer to, or placement in, other facilities, or their release from custody. Labette County requires that medical and mental health staff provide all victims with medical and mental health services consistent with the community level of care. Labette County policy requires that inmate victims of sexually abusive including vaginal penetration while incarcerated are offered pregnancy tests. If pregnancy results victims receive timely and comprehensive information about to all lawful pregnancy-related medical services. Labette County policy allows victims of sexual abuse to be tested for sexually transmitted infections as medically appropriate. Labette County policy requires that medical and mental health staff provide treatment services to victims without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. Therefore, the facility meets this part of the standard.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Medical Staff interviews
PREA Coordinator Interview
Random Staff Interviews

Corrective Action

No corrective action needed

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.

The Labette County Jail conducts a sexual abuse incident review at the conclusion of every substantiated and unsubstantiated sexual abuse investigation. Labette County ensures that reviews occur within 30 days of the conclusion of the investigation. The review team consist of upper management staff, with input from line supervisors, investigators, medical and mental health practitioners. The review team considers whether the allegations indicate a need to change policy and/or practice to better prevent, detect, or respond to sexual abuse; whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at facility; and they examine the area in the facility where the incident occurred to assess whether physical barriers in the area may enable abuse; assess the adequacy of staffing levels in that area during different shifts; assess whether monitoring technology should be deployed or augmented to supplement supervision by staff. Recommendations are documented and the report is submitted to the Jail Administrator. The Labette County Jail implements recommendations for improvement or documents reasons improvements cannot be made. . During the onsite visit Labette County did not have a formalized process to document incident reviews following substantiated or unsubstantiated allegations of sexual abuse.

Policy, Materials, Interviews and Other Evidence Reviewed

- Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
- Jail Administrator Interview
- Medical Staff interviews
- PREA Coordinator Interview
- Random Staff Interviews

Corrective Action

As of 07/15/2016, the Labette County has created an incident review form which accounts for all components of this standard.

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.

The Labette County Jail collects accurate, uniform data for every allegation of sexual abuse at the facility using a standardized instrument and set of definitions, and aggregates the incident-based sexual abuse data at least annually. The data collected is based on the most recent version of the Survey of Sexual Violence conducted by the Department of Justice. Labette County reviews and collects data as needed from all available documents, including reports, investigation files, and sexual abuse incident reviews. Labette County does not contract its inmates to other facilities. Labette County provides all data from the previous calendar year to the Department of Justice upon request.

Policy, Materials, Interviews and Other Evidence Reviewed

- Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
- PREA Audit Report

Jail Administrator Interview
PREA Coordinator Interview

Corrective Action

No corrective action needed

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.

The Labette County Jail reviews data collected to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including identifying problem areas; taking corrective action on an ongoing basis; and preparing an annual report of its findings and corrective action. The report is approved by the Jail Administrator and made readily available to the public through its website. Labette County redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of the facility.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Jail Administrator Interview
PREA Coordinator Interview

Corrective Action

No corrective action needed

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.

The Labette County Jail makes all aggregated sexual abuse data readily available to the public at least annually through its website (<http://labettecountykssheriff.org/jail>). All reports are securely retained and maintained for at least 10 years after the date of the initial collection unless Federal, State, or local law requires. Therefore, the facility meets this standard.

Policy, Materials, Interviews and Other Evidence Reviewed

Labette County Jail Policy and Procedures Chapter 4 – Safety and Security, Section D.29 Prison Rape Elimination Act
Labette County Jail Website (<http://labettecountykssheriff.org/jail>)

Jail Administrator Interview
PREA Coordinator Interview

Corrective Action

No corrective action needed

AUDITOR CERTIFICATION

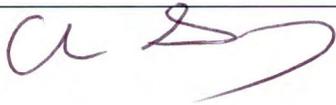
I certify that:

- 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.

Chris Sweney, Certified PREA Auditor

July 27, 2016

Auditor Signature



Date