

# PREA AUDIT: AUDITOR'S SUMMARY REPORT

## ADULT PRISONS & JAILS



[Following information to be populated automatically from pre-audit questionnaire]	
Name of facility: Winfield Correctional Facility / Wichita Work Release Facility	
Physical Address: 1806 Pinecrest Circle, Winfield KS 67156 / 401 South Emporia, Wichita, KS 67202	
Date report submitted: December 5 <sup>th</sup> , 2014	
<b>Auditor Information Jon Groteluschen</b>	
Address: 311 1 <sup>st</sup> Ave S 2 <sup>nd</sup> Floor	
E-Mail: jon.groteluschen@iowa.gov	
Telephone number: (515) 574-4027	
Date of facility visit: November 3,4,5	
<b>Facility Information</b>	
Facility mailing address: (if different from above)	
Telephone number: 620-221-6660 / 316-265-5211	
The facility is:	
<input type="checkbox"/> Military <input type="checkbox"/> County <input type="checkbox"/> Federal <input type="checkbox"/> Private for profit <input type="checkbox"/> Municipal <input checked="" type="checkbox"/> State <input type="checkbox"/> Private not for profit	
Facility Type: <input type="checkbox"/> Jail <input checked="" type="checkbox"/> Prison	
Name of PREA Compliance Manager: Aaron Rion	Title: Correctional Facility Specialist II
E-Mail Address: Aaron.Rion@doc.ks.gov	Phone Number: 620-705-6015
<b>Agency Information</b>	
Name of agency: Kansas Department of Corrections	
Governing authority or parent agency: (if applicable) State of Kansas	
Physical address: 714 SW Jackson Suite 300 Topeka, Kansas 66603	
Mailing address: (if different from above)	
Telephone Number: 785-296-3317	
<b>Agency Chief Executive Officer</b>	
Name: Ray Roberts	Title: Secretary of Corrections
E-Mail Address: RayR@doc.ks.gov	Telephone Number: 785-296-3317
<b>Agency-Wide PREA Coordinator</b>	
Name: Talia Labouchardiere	Title: Corrections Manager II
E-Mail Address: talia.labouchardiere@doc.ks.gov	Telephone Number: 785-296-4431

# AUDIT FINDINGS

The audit of the Winfield Correctional Facility (WCF) and the Wichita Work Release Facility (WWRF) was conducted on November 3-5, 2014 by Jon Groteluschen, Gail Huckins and Kelli Collins, all Certified PREA Auditors, in order to determine compliance with the Prison Rape Elimination Act (PREA) standards. An entrance meeting was held to introduce the audit team to WCF/WWRF staff currently on the PREA team. This included but not limited to: Deputy Warden Julie Utt, KDOC PREA Coordinator Talia Labouchardiere and WCF/WWRF PREA Compliance Manager Aaron Rion.

Following the entrance meeting over 5 hours was spent touring the facility during the course of the audit. Areas included the living units, the segregation unit, Education/programming areas, laundry, Auditorium/Gym, dining hall, kitchen, yard, industries areas, health services, visiting rooms, library, The control center, administrative / counselor officer area, A&D. Informal interviews were done with both staff and inmates while in the various areas throughout the facility.

The Wichita Work Release Facility (WWRF) functions as a satellite to WCF and is under the same administration. On November 4 WWRF was toured. Areas Toured were the inmate living areas, the recreation room, visiting room, dining area, kitchen, laundry room, day room and nurse's office.

At each facility random inmates were interviewed. Attention was paid to special populations within the facility. Information in regards to zero tolerance for sexual abuse and harassment is easily accessible for the inmates. Inmates understood PREA and how to report allegations of sexual abuse and sexual harassment.

Formal staff interviews were completed with the PREA Coordinator, PREA Compliance Manager, Warden, Human Resources, Health Services, Shift supervisors, A PREA investigator, Officers and Counselors. Staff from all three shifts was interviewed. Staff is knowledgeable of KDOC/WCF/WWRF policies and their responsibilities if an allegation or incident occurs.

PREA case log/data and investigative files were made accessible for the audit team to examine prior investigations. Investigations are done promptly, thoroughly, and attention is given to details. Investigative decisions are based upon evidence gathered.

PREA Standards and policies were reviewed for compliance. Questions were clarified and suggestions were made to enhance WCF/WWRF's procedures.

WCF/WWRF complied with all applicable standards. Some practices/procedures were beyond requirements and received exceeds expectations.

## DESCRIPTION OF FACILITY CHARACTERISTICS

The Winfield Correctional Facility is located at 1806 Pinecrest Circle, Winfield KS 67156. A satellite unit. Wichita Work Release Facility is located at 401 South Emporia, Wichita, KS 67202 . The mission statement of the facility was reported as: *The Department of Corrections, as part of the criminal justice system, contributes to the public safety and supports victims of crime by exercising safe and effective containment and supervision of inmates, by managing*

*offenders in the community, and by actively encouraging and assisting offenders to become law-abiding citizens.* WCF houses minimum custody inmates. WCF has 24 buildings. At WCF there are 3 living units with open bay/dormitory style housing. There are 4 segregation cells. The designed facility capacity of WCF is 554 inmates. The inmate population was 538 on the date the Pre Audit Questionnaire was completed. The age range of the population reported at WCF and WWRF combined is 19-78 years of age. Neither WCF nor WWRF houses youthful inmates under the age of 18. There is 219 staff working at WCF and WWRF. There are 15 cameras on view and 12 cameras that are server based throughout the facility. The cameras have recording capability for 30 days to review incidents.

WWRF houses minimum custody/work release inmates. WWRF has 1 building. WWRF Reports 2 open bay/dorm housing units. There are no segregation cells. The designed facility capacity of WCF is 250 inmates. The inmate population was 233 on the date the Pre Audit Questionnaire was completed. There are 16 cameras at the WWRF capable of recording for 82 days.

There is a proposal in place to increase video surveillance at both facilities.

Number of standards exceeded: 2

Number of standards met: 40

Number of standards not met: 0

Number of standards not applicable: 1

115.11	ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT; PREA COORDINATOR
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	
<b>Auditor comments, including corrective actions needed if does not meet standard</b>	
<p>The agency has written policy mandating zero tolerance towards all forms of sexual abuse and sexual harassment. (IMPP, 10-103D, p. 1) They have outlined prevention, detection and responding to allegations/incidents throughout the policy. (IMPP 10-103D; WCF GO 7011; WWRF GO 3104)</p> <p>The statewide PREA Coordinator has sufficient time and authority to develop and oversee compliance. She works closely with WCF/WWRF to develop policies and ensure the proper practices and procedures are followed.</p> <p>The PREA compliance manager at WCF/WWRF coordinates efforts with the PREA Coordinator. They work with the rest of the PREA team, EAI and staff at the facilities to ensure policy is being followed appropriately.</p>	

115.12	CONTRACTING WITH OTHER ENTITIES FOR THE CONFINEMENT OF INMATES
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	
<b>Auditor comments, including corrective actions needed if does not meet standard</b>	
<p>The agency has policy in place. (IMPP 01-105) The agency contracts with Nebraska Department of Corrections for confinement inmates under the age of 18. The agency contracts with the Butler County Jail in Kansas to house "certain offenders". Both contracts stipulate that the contractors comply with PREA standards.</p>	

115.13	SUPERVISION AND MONITORING
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	
<b>Auditor comments, including corrective actions needed if does not meet standard</b>	
<p>Based on IMPP 10-03 Coordinated Response to Sexual Abuse and Harassment; IMPP 12-137D Staffing Analysis, Operational Staffing and Roster Management.</p> <p>WCF/WWRF Staffing Plan that is systematically reviewed annually, This is mandated in KDOC policy (12-137-D) at every facility. WCF/WWRF has Operational Staffing Reports that document the operational staffing levels, the actual staffing levels and the deviations from these numbers. This was completed for every date and shift. Post orders were reviewed that illustrated supervisory oversight of staffing. Electronic supervisory logs were provided documenting unannounced</p>	

supervisory rounds.

Staff shall be prohibited from alerting other staff members that supervisory rounds are occurring. (General Order 03-104) The facilities are aware of the need for enhanced video surveillance and have a plan to improve in this area. During the exit interview the audit team pointed out some areas it identified and encouraged some changes in procedure to enhance safety. There are many blind spots in the library that are viewable on video however the video is not real-time monitored by staff and staff are not present in the library during all hours of operation. The audit team suggested that the library be closed unless there is staff available to monitor. Also noted were bathrooms in the Birch Building which were opened at all times even when staff were not present to monitor entry into the bathroom. Those bathrooms are now closed when not in use. Also noted was the check in station inside the auditorium where inmates checked in when they came back from the industry area. That check in box is being moved to a more visible location.

115.14 YOUTHFUL INMATES

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

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

**This standard is not applicable. KDOC contracts with the Nebraska DOC for housing of youthful offenders.**

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

**Fix Ad Seg Viewing and B Unit Bathrooms. WCF/WWRF Prohibits Cross Gender Strip Searches and Visual Body Cavity Searches (IMPP 10-103; IMPP 12-103; WCF=GO 9007; WWRF=GO 7106)**

**WCF/WWRF does not conduct cross-gender strip searches or cross-gender visual body cavity searches except in exigent circumstances or when performed by medical practitioners. WCF/WWRF reported that no such incident occurred during the time period. WCF/WWRF has not housed Transgender/Intersex inmates.**

**WCF/WWRF does not house female inmates.**

**The facility requires staff to be aware of the inmate's state of undress. The presence of staff of the opposite gender shall be announced "Female Staff On The Unit" prior to entering a housing unit where an inmate could be undressed. This procedure was witnessed during the tour of the facility and inmates that were interviewed noted announcements were done.**

Inmates are allowed to shower and perform bodily functions without nonmedical staff of the opposite gender viewing them, except in exigent circumstances or when the viewing would be incidental to routine security checks. (IMPP 10-103D.; WCF PO 11; WWRF PO 01)

Policy prohibits searching or physically examining a transgender or intersex inmate for the sole purpose of determining the inmate’s genital status.

WCF= GO 9007 WWRF= GO 7106

During the tour the audit team noted 3 instances where cross gender viewing was an issue. The Ad Seg Cell, the bathrooms in B housing unit which would allow female officers walking past the bathroom to view men at the urinals and the lack of partitions between the urinals on the upper floor of WWRF which allowed females walking by the bathroom to view men at the urinals. A plan is in place to fabricate a panel to block the view of the toilet in the Ad Seg Cell without compromising safety and security. Swinging half doors on the bathrooms in B unit will be raised slightly to block the view of the urinals and partitions will be installed in the bathroom at WWRF to address the issue there.

The training curriculum and records were reviewed. During interviews with staff regarding Transgender inmates a frequent answer was that in Kansas –“if someone is sentenced to a male facility they are treated as a male”. The audit team notes that while that might be the standard applied statewide it does not reflect the spirit of PREA to be sensitive to transgender inmates. The audit team understands this deficiency to be an issue that needs to be addressed at an agency wide level with training to encourage a system-wide culture change.

115.16	INMATES WITH DISABILITIES AND INMATES WHO ARE LIMITED ENGLISH PROFICIENT
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	
<b>Auditor comments, including corrective actions needed if does not meet standard</b>	
<p>Policies IMPP 01-103 Inmate Rule Book Distribution and Translation; IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment; IMPP 10-138 Assistance for Offenders and/or Victims with Limited Proficiency; all have outlined what is required for the facility in instances of inmates with disabilities and inmate who are limited with English. The facility shall provide offender education in formats accessible to all offenders, including those who are limited English proficient, deaf, visually impaired or otherwise disabled, as well as to inmates who have limited reading skills. (IMPP 10-103D) When an offender has problems understanding the rule book, a staff member or translator shall assist the inmate in understanding the rules. A translation shall be made for any language spoken by significant numbers of inmates. (IMPP 01-103)</p> <p>Limited English proficiency will not prevent inmates, detainees, victims, or parolees from accessing</p>	

important programs and information, understanding rules; participating in proceedings; or gaining eligibility for parole, probation, treatment programs, and alternatives to revocation or classification. (IMPP 10-138)

WCF/WWRF has translation services in place if needed.

Also any inmate that is deaf or hard of hearing or those who are blind or with limited vision or those who have intellectual, psychiatric, or speech disabilities, or limited English shall have equal opportunity to participate in and benefit from the KDOC's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

WCF/WWRF had prominent signs posted throughout the facility in Spanish as well as English. The PREA Orientation Handbook is available in Spanish as well.

115.17

HIRING AND PROMOTION DECISIONS

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based upon 02-118 Employee & Volunteer Rules of Conduct and Undue Familiarity; IMPP 02-120 Employee Disciplinary Procedures and Formal Actions; IMPP 02-119 Personnel Records; IMPP 02-126 Selection Process; WCF/WWRF Human Resources interview . KDOC shall not hire or promote anyone who (1) has engaged in sexual abuse of inmates in an institutional setting; (2) has been convicted of engaging in sexual activity in the community facilitated by force, the threat of force, or coercion, or (3) has been civilly or administratively adjudicated to have engaged in such activity. All incidents of sexual harassment perpetrated by an applicant against inmates shall be considered in making hiring and promotional decisions. (02-126 Selection Process)

KDOC performs criminal background checks at least every 5 years of current employees and contractors who may have contact with inmates. WCF/WWRF exceeds the expectations because they conduct the background checks on a yearly basis which was confirmed with Human Resources (HR). HR keeps a log of requests for information from other facilities/agencies in regards to current or former personnel.

Documentation of background checks was reviewed.

115.18

UPGRADES TO FACILITIES AND TECHNOLOGY

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on IMPP 01-123 mandates consideration of PREA when updating facilities or technology. No upgrades reported since 8/20/2012. There is currently plans to update video surveillance at WCF and WWRF and the proposal was reviewed.

115.21	EVIDENCE PROTOCOL AND FORENSIC MEDICAL EXAMINATIONS
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	
<b>Auditor comments, including corrective actions needed if does not meet standard</b>	
<p><b>KDOC has a coordinated response to sexual abuse and sexual harassment. (IMPP 10-103) Investigative procedures (IMPP 22-103) and investigation manual inform staff of the responsibility to secure and preserve any crime scene and evidence until an investigator can arrive and assume possession. All physical evidence will be collected in a manner that it can be admissible in court. Evidence will be collected, stored and disposed of per EAI guidelines that are based upon DOJ National Protocol.</b></p> <p><b>When WCF/WWRF has an allegation of sexual assault, the inmate is evaluated by medical personnel and then transported offsite for the forensic examination. A SANE/SART nurse will collect any evidence with is then turned over to EAI.</b></p> <p><b>An MOU was in place for WCF for victim services. WWRF demonstrated ongoing efforts to establish an agreement for that facility. On site mental health personnel are available to provide victim support. Memo was included in documentation showing no incidents at WCF/WWRF during the audit period.</b></p>	

115.22	POLICIES TO ENSURE REFERRALS OF ALLEGATIONS FOR INVESTIGATIONS
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	
<b>Auditor comments, including corrective actions needed if does not meet standard</b>	
<p><b>Based upon IMPP 22-203; IMPP 10-103; WCF GO7011; WWRF GO3104. Compliance judged on policy review and staff interviews. Investigative reports reviewed. PREA Annual report was on public website. PREA Log Reviewed.</b></p>	

115.31	EMPLOYEE TRAINING
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	
<b>Auditor comments, including corrective actions needed if does not meet standard</b>	
<p><b>KDOC/WCF/WWRF has policies and training curriculum for all employees for all aspects of this standard. IMPP 03-104 Minimum Departmental Training Standards; Crediting of Education and Specialty Training; IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment; IMPP 02-118 Employee &amp; Volunteer Rules of Conduct and Undue Familiarity were reviewed. Staff is aware</b></p>	



of the zero tolerance policy for sexual abuse and harassment. They receive training on their responsibilities for prevention, detection, reporting and response.  
**WCF/WWRF staff is trained on the proper method to conduct pat and strip searches for the gender housed at their facility. Training curriculum and records were provided and reviewed.**

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

**Based upon policies IMPP 02-118 Employee and Volunteer Rules of Conduct and Undue Familiarity; IMPP 03-104 Minimum Departmental Training Standard, Crediting of Education and Specialty training; IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment; IMPP 13-106 Volunteer Rules of Conduct; IMPP 13 103 Recruitment, Screening, Selection, and Training of Volunteers, training curriculum and documentation. WCF/WWRF ensures all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency’s sexual abuse and sexual harassment prevention, detection, and response policies and procedures.**

**The level and type of training provided to volunteers and contractors is based upon the services they provide and level of contact they have with the inmates. All volunteers and contractors are notified of the zero-tolerance policy in regards to sexual abuse and harassment. They are informed on how to report any incidents of such.**

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

**Based on IMPP 10-103D; WCF GO 7011 Sexual Assault Prevention and Intervention; WWRF GO 3104 Sexual Assault Prevention and Intervention; WCF GO7011 Inmate Orientation Sexual Assault Attach A.**

**Inmates receive education during intake and orientation. The information includes the zero tolerance policy as well as procedures for reporting threatening or assaultive behavior of a sexual or possibly sexual nature. Inmate handbooks are provided to them.**

**Within 30 days of intake all inmates receive a comprehensive education either in person or by video regarding their rights to be free from sexual abuse and sexual harassment, and to be free from retaliation for reporting incidents. The inmates also receive an overview of KDOC policies and procedures.**

**Inmate education is in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, otherwise disabled, as well as to inmates who have limited reading skills.**

**Signs/posters are displayed throughout the facility on bulletin boards and near inmate telephones. Documentation is maintained for all inmates. During interviews and tour, inmates were found to be generally informed regarding PREA.**

115.34	SPECIALIZED TRAINING: INVESTIGATIONS
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	
<b>Auditor comments, including corrective actions needed if does not meet standard</b>	
<p><b>Based on policy IMPP 03-104 Minimum Departmental Training Standards, Crediting of Education and Specialty Training; IMPP 22-103 Investigation Procedures; IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment. KDOC/WCF/WWRF ensures that all investigators have received training in conducting PREA related investigations in confinement settings. They are provided techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. Documentation that the investigators have completed the required training in conducting sexual abuse investigations was reviewed.</b></p>	

115.35	SPECIALIZED TRAINING: MEDICAL AND MENTAL HEALTH CARE
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	
<b>Auditor comments, including corrective actions needed if does not meet standard</b>	
<p><b>Based on policy IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment. Corizon General Health Services Policy and Procedure – Federal Sexual Assault Reporting and Regulations. Basic and annual training curriculum/agendas. Lists of all medical and mental health staff. Medical and behavioral health staff have been trained in: how to detect and assess signs of sexual abuse and sexual harassment and preserve physical evidence of sexual abuse; how to respond effectively and professionally to victims of sexual abuse and sexual harassment; and how and to whom to report allegations or suspicions of sexual abuse and sexual harassment. WCF/WWRF maintains documentation that medical and mental health practitioners have received the training. Medical and behavioral health care practitioners shall also receive the training mandated for staff members under 115.31 or for contractors and volunteers under 115.32. (IMPP 10-103D)</b></p>	

115.41	SCREENING FOR RISK OF VICTIMIZATION AND ABUSIVENESS
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the	

relevant review period)

Does Not Meet Standard (requires corrective action)

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

Based upon IMPP 10-139 Screening for Sexual Victimization and Abusiveness; WCF GO 7011 Offender Sexual Assault Prevention and Intervention; WWRF GO 3104 Sexual assault Prevention and Intervention; KDOC IMPP 11 106 Case Management. Random inmate and staff interviews.

Example screenings.

By policy and practice intake screenings are performed at the RDU upon intake and upon transfer to subsequent facilities by an appropriate assessment instrument (The Internal Classification Checklist / ICC).

The intake screening considers the ten criteria for section (d) of this standard.

The initial screening considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known, in assessing inmates for risk of being sexually abusive.

Within 30 days from the inmate's arrival WCF/WWRF, the facility will reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by WCF/WWRF since the intake screening.

The inmate's risk level is reassessed at least annually and when warranted due to a referral, request, or incident of sexual abuse or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.

Inmates are not disciplined for refusing to answer or disclosing information to staff when being assessed.

WCF/WWRF has appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates.

WCF/WWRF does not detain inmates for the solely for civil immigration purposes.

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

Based upon IMPP 10-139 Screening for Sexual Victimization and Abusiveness; IMPP 10-103; IMPP 11-106 GO 7011; GO 3104; PREA Compliance Manager and other staff interviews.

WCF/WWRF uses information from the risk screening 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. (IMPP 10-139)

WCF/WWRF makes individualized determinations about how to ensure the safety of each inmate by utilizing the internal classification checklist. This thorough screening tool provides collection of information and reassessment if necessary.

By Policy WCF/WWRF considers the information available when determining the best housing and programming assignments for transgender and intersex inmates. The decisions are made on a case

by case basis.

These individuals are reviewed/assessed at least twice per year.

WCF/WWRF reported no transgender inmates for some time. Memo stated that if any were housed there policy in that area would be followed.

Gay, bisexual, transgender or intersex inmates are not housed in a separate area based upon their identification. These individuals are housed and working among other inmates within the facility.

As noted previously in the cross gender viewing standard but bears repeating in this standard: During interviews with staff regarding Transgender inmates a frequent answer was that in Kansas – “if someone is sentenced to a male facility they are treated as a male”. The audit team notes that while that might be the standard applied statewide it does not reflect the spirit of PREA to be sensitive to transgender inmates. The audit team understands this deficiency to be an issue that needs to be addressed at an agency wide level with training to encourage a system-wide culture change.

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

Based upon IMPP 10-139 Screening for Sexual Victimization and Abusiveness; IMPP 20-106 Purpose of Administrative Segregation & Appropriate Placements; IMPP 20-101 Minimum Standards for Operation of Segregation Units; IMPP 20-108 Protective Custody; IMPP 20-105 Seg and documentation; GO 9014 Admin Protective Custody Disciplinary Segregation Warden, PREA Compliance Manager, and other staff interviews.

WCF did not involuntarily segregate inmates who are at high risk for sexual victimization unless a thorough assessment determined that there was no available alternative means of separation from likely abusers.

WCF does not house inmates in long term segregation. Inmates are transferred to a higher security facility for long term segregation.

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

Based on IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment; GO 7011 Attachment A, Attachment B; GO 3104 Attachment A, Attachment B; Memo of Understanding between Legal Services for Prisoners and the KDOC. Staff and inmate interviews. Documentation

of incidents/reports.

There are multiple methods for an offender to report allegations of sexual abuse or harassment. Such allegations may be reported verbally to any staff member or in writing using a Form 9 or Offender Request to Staff, in addition to using confidential methods. Inmates are able to dial #50, the toll free hotline (1-888-317-8204) via third parties, grievance procedures, or Staff/Offender Relations Checklist. (IMPP 10-103D).

Inmates have the opportunity to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the KDOC or WCF/WWRF. Such reports shall be made through the Legal Services for Prisoners office or through the use of the internal reporting procedures listed in the orientation brochure. Signs and information are posted throughout the facility.

WCF/WWRF staff has the ability to privately report sexual abuse and sexual harassment of inmates. They are able to use the hotline number which may remain confidential at the request of the reporting party. The calls are referred to the KDOC PREA Coordinator or the Director of Enforcement, Apprehensions, and Investigations (EAI).

WCF/WWRF exceeds this standard due to the ability of the inmates to easily access any phone and call #50 to report.

115.52	EXHAUSTION OF ADMINISTRATIVE REMEDIES	INMATE REPO
<p><input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)</p>		
<p><b>Auditor comments, including corrective actions needed if does not meet standard</b></p>		
<p>Based upon K.A.R. 44-15-204.</p> <p>There are no time limits for submission of a grievance regarding an allegation of sexual abuse. The time limits for any grievance or portion thereof that does not allege an incident of sexual abuse or imminent sexual abuse shall be with the limits specified.</p> <p>WCF/WWRF does not require an inmate to attempt to resolve with staff any alleged incident of sexual abuse by a staff member, contractor, or volunteer.</p> <p>A final decision on the merits of any portion of a grievance alleging sexual abuse or appeal shall be issued by the secretary within 90 day of the initial filing of the grievance. Computation of the 90-day time period does not include time taken by the inmates in preparing and submitting any administrative appeal. If at any level of the administrative process, the inmate does not receive a response within the time allotted for reply, including any notified extensions, the inmate may consider the absence of a response to be a denial at that level and may proceed to the next level for an appeal.</p> <p>Grievances may be filed by a third party including fellow inmates, staff, family members, attorneys and outside advocate on behalf of the inmate. The inmate pursues any subsequent steps in the administrative remedy process. If the inmate declines to have the request processed on that individual's behalf, the facility shall document the inmate's decision.</p> <p>Each inmate submitting a grievance concerning imminent sexual abuse shall state "Emergency Sexual Abuse Grievance" clearly on the grievance form. Each grievance alleging that an inmate is subject to substantial risk of imminent sexual abuse shall be treated as an emergency grievance. The Warden shall provide an initial response within 48 hours and shall issue a final decision within five calendar days. The initial response and final decision shall document the determination</p>		

whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

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

Based on IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment; WCF GO 7011 Attachment A E.1. WWRF GO 3104 Attachment A E.1.  
Victim services will be offered to the victim at the hospital with follow up behavioral health coordination between the hospital and WCF/WWRF contract behavioral health.  
When inmates are referred to behavioral health for assessment of PREA, both inmates (perpetrator and victim) will be assigned a Behavioral Health Advocate that can assist them in explaining the investigative process and provide updates as appropriate to the investigation. Behavioral staff will be assigned in this capacity for at least 90 days after the initial investigation. Referrals will be made as needed.  
WCF/WWRF has the information for outside sources on postings in living units. Information includes addresses and telephone numbers. Inmates are also provided the brochure on community sexual assault programs, which are available through health services staff.  
WCF – Safe Homes MOU was reviewed. WWRF is making efforts to establish an MOU with a provider for that facility.

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

IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment;  
WCF/WWRF has a method to receive third party reports of sexual abuse and sexual harassment and shall distribute publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate.  
Staff shall accept reports made verbally, in writing, anonymously, or third parties. The grievance process may be used by inmate or third party to report sexual abuse or harassment.  
Notification for third party reporting was noted on the tour.

115.61	STAFF AND AGENCY REPORTING DUTIES
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	
<b>Auditor comments, including corrective actions needed if does not meet standard</b>	
<p><b>Based on IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment; WCF GO 7011; WWRF GO 3-104; PREA Checklist; Investigative case log; random staff and specialized staff interviews.</b></p> <p><b>All staff shall immediately report any knowledge, suspicion, or information regarding an incident of sexual abuse or harassment, whether it is in regard to an offender or another staff member. (IMPP 10-103D and GO 01-102)</b></p> <p><b>Apart from reporting to designated supervisors, staff shall not reveal any information related to sexual abuse reports to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions. (IMPP 10-103D)</b></p> <p><b>Any employee who becomes aware of staff sexual misconduct has a responsibility to report it. CCS employees who observe or become aware of sexual activity of any sort between inmates are required to report the activity to the Facility Administration. CCS employees must inform any person reporting such sexual activity that report of sexual abuse, sexual harassment and sexual misconduct must be reported.</b></p> <p><b>WCF/WWRF does not house any inmate under the age of 18.</b></p> <p><b>Allegations including third party and anonymous reports are forwarded to the investigators.</b></p>	

115.62	AGENCY PROTECTION DUTIES
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	
<b>Auditor comments, including corrective actions needed if does not meet standard</b>	
<p><b>Based on IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment; IMPP 20-104 Purpose of Administrative Segregation and Appropriate Placements; IMPP 20-105 Basic Operations of Ad Seg; IMPP 20-108 Protective Custody; WCF GO7011; WWRF GO3104; Staff and inmate interviews. PREA investigative log.</b></p> <p><b>All staff and inmates are responsible for being alert to signs of potential situations in which sexual abuse or harassment might occur. WCF/WWRF will take immediate action if they learn an inmate is at a substantial risk of imminent sexual abuse.</b></p>	

115.63	REPORTING TO OTHER CONFINEMENT FACILITIES
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	



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

**Based on IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment. Examples of incidents.**

**When a report is received that an inmate has been the victim of sexual abuse or harassment while incarcerated at another facility or under the supervision of another office; as soon as possible, but no later than 72 hours of receiving the report, the head of the office/facility that has received the allegation shall notify the head of the office/ facility where the alleged abuse occurred. The head of the office/facility receiving the notification shall ensure the allegation is investigated. WCF/WWRF will document any incidents.**

115.64

**STAFF FIRST RESPONDER DUTIES**

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

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

**Based upon IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment, Attachment A; IMPP 22-103 Investigation Procedures.**

**When WCF/WWRF learns of an allegation, they will separate the inmates. They will preserve and protect any crime scene until evidence can be collected. WCF/WWRF staff will take the necessary steps to ensure the physical evidence isn't destroyed including evidence that may be present on the abuser.**

**All first responders including those individuals not in security are under the same requirements when an allegation is made.**

**WCF/WWRF staff and EAI will work together to ensure the required procedures are followed. The Control Center will dispatch additional correctional officers to assist with any duties as necessary.**

**When interviewed, all staff including supervisors, treatment, health services, officers, etc. was aware of their responsibilities and were knowledgeable of WCF/WWRF's coordinated response to sexual abuse and sexual harassment.**

115.65

**COORDINATED RESPONSE**

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

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

**Based upon IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment; WCF=GO 7011 WWRF=GO 3104.**

**Staff and inmate interviews.**

**WCF/WWRF has written institutional plans/policy to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership.**



115.66	PRESERVATION OF ABILITY TO PROTECT INMATES FROM CONTACT WITH ABUSERS
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	
<b>Auditor comments, including corrective actions needed if does not meet standard</b>	
<p><b>Based upon Agency Head interview. Excerpt from the Memorandum of Agreement between the State of Kansas and KOSE.</b></p> <p><b>WCF/WWRF does have collective bargaining with Kansas Organization of State Employees (KOSE). Management has the ability to remove alleged staff sexual abusers from contact with inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.</b></p>	

115.67	AGENCY PROTECTION AGAINST RETALIATION
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	
<b>Auditor comments, including corrective actions needed if does not meet standard</b>	
<p><b>Based upon IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment; WCF GO 7011; WWRF GO 3-104. List of staff responsible for monitoring retaliation was provided. Will monitor retaliation for at least 90 days.</b></p> <p><b>Appropriate measures will be taken for any individual who expresses a fear of retaliation. The obligation to monitor shall terminate only if the allegation is determined to be unfounded.</b></p>	

115.68	POST-ALLEGATION PROTECTIVE CUSTODY
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	
<b>Auditor comments, including corrective actions needed if does not meet standard</b>	
<p><b>Based on IMPP 10-103 Coordinated Response to Sexual Assault and Harassment; IMPP 20-105 Basic Operations of Administrative Segregation; Interviews, review of an incident report.</b></p>	

Inmates determined to be at high risk for sexual victimization or who have been determined to have suffered sexual abuse shall not be placed in involuntary segregation unless a thorough assessment determines that there is no available means of separation from likely abusers. They will only be housed in involuntary segregation until an alternative means of separation can be arranged.

115.71

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

Based on IMPP 22-103 Investigation Procedures; IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment. PREA log, EAI Sexual Assault training certificates, investigative reports; staff interviews.

WCF/WWRF conducts its own investigations into allegations of sexual abuse and sexual harassment. They will conduct investigations promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.

Where sexual abuse is alleged, WCF/WWRF will use EAI trained investigators who have received special training in sexual abuse investigations.

EAI will gather and preserve direct and circumstantial evidence, including any physical and DNA evidence and any available electronic monitoring data. They will interview alleged victims, suspected perpetrators and witnesses. EAI will review prior complaints and reports of sexual abuse involving the suspected perpetrator.

If EAI has evidence that supports criminal prosecution, they will consult prosecutors as to where compelled interviews may be an obstacle for subsequent criminal prosecution.

The credibility of an alleged victim, suspect or witness will be assessed on an individual basis and not determined by if the individual is an inmate or staff member. WCF/WWRF will not polygraph any alleged inmate victim.

EAI will attempt to determine if there were any staff actions or failures to act that could have contributed to an incident. They will document any relevant information obtained including description of the physical and testimonial evidence. They will document any reasoning for credibility assessments, investigative facts and findings.

WCF/WWRF will cooperate with any criminal investigation or proceedings and provide any documentation necessary. They will maintain communications on the status of the referred investigations.

EAI will refer any substantiated allegations of conduct that appear to be criminal for prosecution. All written reports will be retained for the duration of the inmate's incarceration or employment by the agency, plus 5 years. EAI will evaluate and determine based upon the circumstantial and physical evidence obtained.

The investigations do not terminate if the alleged abuser or victim are no longer employed or incarcerated.

115.72	EVIDENTIARY STANDARDS FOR ADMINISTRATIVE INVESTIGATIONS
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	
<b>Auditor comments, including corrective actions needed if does not meet standard</b>	
<p><b>Based upon IMPP 22-103 Investigation procedures and examples.</b>  <b>The purpose of a formal investigation is to determine, based on the preponderance of evidence, where there are sufficient facts or evidence to substantiate, refute or dismiss allegations of criminal activity or administrative violations.</b>  <b>EAI will evaluate the circumstantial and physical evidence to make their determinations.</b></p>	

115.73	REPORTING TO INMATES
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	
<b>Auditor comments, including corrective actions needed if does not meet standard</b>	
<p><b>Based on IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment; IMPP 22-103 Investigation Procedures. EAI PREA log, Example documentation.</b>  <b>WCF/WWRF will ensure that an inmate is notified as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.</b>  <b>WCF/WWRF will inform the inmate when the staff member is no longer posted within the inmate's unit; no longer employed at the facility; indicted on a charge related to sexual abuse within the facility; or learns that the staff member has been convicted on a charge related to sexual abuse within the facility.</b>  <b>If WCF/WWRF has an inmate make an allegation against another inmate that they were sexually abused, WCF/WWRF will ensure that the alleged victim is notified if the alleged abuser has been indicted on a charge or convicted of a charge related to sexual abuse within the facility.</b>  <b>WCF/WWRF will ensure that there is documentation of this notification.</b>  <b>If the inmate has been released from WCF/WWRF, the facility will no longer be obligated to report to them.</b></p>	

115.76	DISCIPLINARY SANCTIONS FOR STAFF
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	
<b>Auditor comments, including corrective actions needed if does not meet standard</b>	
<p><b>Based on IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment; IMPP 02-118</b></p>	

**Employee & Volunteer Rules of Conduct and Undue Familiarity. Example documentation.**  
 Staff shall be subject to disciplinary sanctions up to and including termination for violating WCF/WWRF policy in regards to sexual abuse or sexual harassment. Termination is the presumptive disciplinary sanction for staff who engaged in sexual abuse.  
 WCF/WWRF will examine all factors for violations of KDOC policy relating to sexual abuse and harassment. This included the circumstances involved, the staff member’s disciplinary history and the sanctions imposed for comparable offenses by other staff with similar histories.  
 All terminations for violations of the sexual abuse or sexual harassment policies or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies if found to be criminal, and to any relevant licensing bodies.

115.77	CORRECTIVE ACTION FOR CONTRACTORS AND VOLUNTEERS
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	
<b>Auditor comments, including corrective actions needed if does not meet standard</b>	
<p>Based on IMPP 02-118 Employee &amp; Volunteer Rules of Conduct and Undue Familiarity; KDOC IMPP 10 103D Coordinated Response to Sexual Abuse and Harassment; staff interviews.          Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates and shall be reported to law enforcement agencies if found to be criminal, and to relevant licensing bodies.          The facility will take the appropriate remedial measures and will consider whether to prohibit further contact with inmates.</p>	

115.78	DISCIPLINARY SANCTIONS FOR INMATES
<input type="checkbox"/> Exceeds Standard (substantially exceeds requirement of standard) <input checked="" type="checkbox"/> Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period) <input type="checkbox"/> Does Not Meet Standard (requires corrective action)	
<b>Auditor comments, including corrective actions needed if does not meet standard</b>	
<p>Based on KAR 44-12-314 Sexual Activity; KAR 44-12-328 Undue Familiarity; IMPP 10-103 Coordinated Response to Sexual Assault and Harassment; IMPP 11-107 Inmate Program Plans Cover Page and Page _2. EAI PREA log, example documentation, memos, staff and inmate interviews.</p> <p>WCF/WWRF holds inmates accountable and will impose disciplinary sanctions following an administrative or criminal finding that the inmate engaged in inmate-on- inmate sexual abuse. Disciplinary sanctions will occur and will be based upon the circumstances of the incident, inmate’s disciplinary history, and similar sanctions imposed on other inmates with comparable offenses. WCF/WWRF will consider the mental health of an inmate and will consult with the mental health staff prior to imposing discipline.          WCF/WWRF will refer to inmates to mental health staff to address any underlying reasons or motivations for sexual abuse and will determine if the inmate’s participation is a condition for</p>	

**access to programming or other benefits.**

**Inmates may be disciplined for sexual contact with staff only upon a finding that the staff member did not consent to such contact.**

**Reports of sexual abuse made in good faith will not constitute false reporting of an incident even if the investigation doesn't establish sufficient evidence to substantiate the allegation.**

**WCF/WWRF prohibits all sexual activity between inmates. They will take the appropriate action when incidents of sexual activity that are not coerced or considered sexual abuse occur.**

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

**Based on IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment; IMPP 10-139 Screening for Sexual Victimization and Abusiveness. Staff and inmate interviews.**

**Inmates that have been identified as having been sexually victimized in an institutional setting or in the community will be offered follow up with medical or behavior health practitioners within 14 days of the intake screening.**

**Inmates that have been identified as previously perpetrating sexual abuse, whether it occurred in an institutional setting or in the community, shall be offered a follow up meeting with a behavioral health practitioner within 14 days of the intake screening.**

**All notifications to necessary facility staff shall be made by the staff member completing the screening, as necessary to ensure that the information being used to make determinations regarding housing, bed, work, education, and program assignments and to ensure appropriate follow-up can be provided.**

**Medical and mental health practitioners will obtain informed consent from an inmate prior to reporting information about incidents that occurred prior to an institutional setting.**

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

**Based on IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment; WCF GO 7011: WWRF GO 3104: KSCDV Sexual Assault Forensic Exam Pamphlet. PREA checklist and memos. Interviews.**

**Medical and mental health will ensure that inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services.**

Staff will refer inmates to medical and mental health practitioners as appropriate. Inmate victims are offered timely information and access to emergency contraception and sexual transmitted disease prophylaxis. Inmate victims of sexually abusive vaginal penetration while incarcerated will receive a pregnancy test. Any inmate that is requiring treatment will not incur the cost for the treatment.

115.83	ONGOING MEDICAL AND MENTAL HEALTH CARE FOR SEXUAL ABUSE VICTIMS AND ABUSERS
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment; WCF GO 7011; WWRF GO 3104; KSCDV Sexual Assault Forensic Exam Pamphlet. WCF/WWRF will offer medical and mental health evaluations as appropriate. Treatment will be given to inmates who have been victimized by sexual abuse while incarcerated. The evaluation and treatment of victims will include any necessary follow up treatment plans and any referrals for continued care. The community level of care will be provided to the inmates. Inmate victims will be offered tests for sexually transmitted diseases as appropriate. Treatment will be provided without cost to the inmate. A mental health evaluation of all known inmate-on-inmate abusers will be conducted within 60 days of learning of the abuse history and they will be offered treatment when appropriate.

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

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

Based on IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment; IMPP 12-118 Serious Incident Review Board Actions Pending and Subsequent to Incident Reviews, Sexual Incident Reviews. The Sexual Assault Incident Review Board (SAIRB) will conduct of review at the conclusion of every sexual abuse investigation that has been determined to be substantiated or unsubstantiated. This review will occur within 30 days of the conclusion of the sexual abuse investigation. The SAIR team includes the PCM, EAI, CSII or higher, a health care or mental health professional, and any additional staff appointed by the Warden. The review team considers if there is a need to change policy or practice to better prevent, detect or respond to sexual abuse. They examine if there are any underlying issues or factors as outlined in the standard. WCF/WWRF will look at where the incident occurred, staffing levels, monitoring

technology, and other relevant information. They will document their findings and make recommendations as appropriate. The report will be submitted to the Warden and KDOC PREA Coordinator within 10 business days of the completion of the review. WCF/WWRF will implement recommendations and will document the reasons for not doing so.

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

**Based on IMPP 10-103 Coordinated Response to Sexual Abuse and Harassment; Facility and agency wide 2013 SSV.**

**EAI will collect accurate, uniform data for every allegation of sexual abuse. Data shall be aggregated at least annually and shall include the data necessary to respond to all questions from the most recent Survey of Sexual Violence conducted by the DOJ. All data shall be made available upon request of the DOJ no later than June 30 of any given year.**

115.88 DATA REVIEW FOR CORRECTIVE ACTION

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

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

**Based KDOC website.**

**WCF/WWRF management team will review all data collected in order to assess and improve the effectiveness of the sexual abuse prevention, detection, and response policies, practices and training. The PREA Annual report is available to the public on the KDOC Website.**

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

**Based on IMPP 10-103D; Data and PREA information from KDOC website.**

**KDOC will collect data and securely maintain the data for 10 years after the date of the initial collection. This data can be obtained on the website which compares the previous years. All personal identifiers have been removed and not published for the public.**

**AUDITOR CERTIFICATION:**

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



Jon Groteluschen, Certified PREA Auditor

December 5, 2014

Date