

**PREA AUDIT REPORT Interim Final
ADULT PRISONS & JAILS**

Date of report: March 23, 2016

Auditor Information			
Auditor name: Grace White			
Address: 16425 Spring Hill Drive, Brooksville, Florida 34604			
Email: gwhite@hernandosheriff.org			
Telephone number: 352-797-3408			
Date of facility visit: March 7, and 8, 2016			
Facility Information			
Facility name: Hendry County Jail			
Facility physical address: 101 South Bridge Street, Labelle, Florida 33935			
Facility mailing address: <i>(if different from above)</i> P.O.Box 579, Labelle, FL 33975			
Facility telephone number: Click here to enter text.			
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: Steve Whidden			
Number of staff assigned to the facility in the last 12 months: 33			
Designed facility capacity: 283			
Current population of facility: 233			
Facility security levels/inmate custody levels: Maximum, Medium, Minimum			
Age range of the population: 18-70			
Name of PREA Compliance Manager: N/A		Title: Click here to enter text.	
Email address: Click here to enter text.		Telephone number: Click here to enter text.	
Agency Information			
Name of agency: Hendry County Jail			
Governing authority or parent agency: <i>(if applicable)</i> Hendry County Sheriff's Office			
Physical address: 101 South Bridge Street, Labelle, Florida 33935			
Mailing address: <i>(if different from above)</i> Click here to enter text.			
Telephone number: 1-863-674-5600			
Agency Chief Executive Officer			
Name: Steve Whidden		Title: Sheriff	
Email address: swhidden@hendrysheriff.org		Telephone number: 1-863-674-5600	
Agency-Wide PREA Coordinator			
Name: Lucy Larkins		Title: Classification Officer	
Email address: llarkins@hendrysheriff.org		Telephone number: 1-863-674-5600	

AUDIT FINDINGS

NARRATIVE

An introduction meeting was held with Captain Joseph Bastys, Lieutenant Michael Kosh, and PREA Coordinator Lucy Larkins. Both auditors expressed our appreciation for the opportunity to be involved with the Hendry County Jail in the onsite PREA Audit Process.

The audit of Hendry County Jail was conducted on March 7 and 8, 2016 by Grace White and Shaun Klucznik, certified PREA Auditors. The areas toured included a total of eight Housing Pods, Administrative Segregation Unit, Medical, Laundry, Intake/Release, Sally Port, Programs and Kitchen.

Upon arrival for the audit, a listing of all inmates by housing assignment and staff listing by shift assignments of staff currently on duty was presented to the PREA Auditors.

During the audit 17 male inmates, 6 female inmates and 5 youthful offenders were chosen at random from different housing pods and were interviewed. A female bisexual inmate was interviewed and stated that she is housed in general population and is not treated differently than any other inmate. The total inmate population on the date of the audit was 233.

The Specialized Staff Interviews included Agency Head, Investigative Staff, Medical Nurse, Mental Health Counselor, Shift Sergeant, Intake and Classification staff that are responsible for Screening for Risk of Victimization and Abusiveness, supervisors in Administrative Segregation, Incident Review Team, PREA Coordinator, Human Resource Director, staff member that monitors for retaliation, volunteer, first responder non security, and line staff that supervise Youthful Inmates.

From the shift roster, staff on duty were randomly selected to be interviewed by the auditors. It should be noted that during the facility tour staff and inmates were informally interviewed.

During the past 12 months there have been 6 allegations of inmate on inmate sexual abuse and/or sexual harassment that resulted in an administrative investigation. These allegations were investigated fully and were reviewed by Hendry County PREA Review Committee. The findings of these investigations were unsubstantiated or unfounded due to a lack of evidence.

Prior to the onsite, Jennifer Benton, Director of ACT (Abuse and Counseling Treatment) Center was contacted by telephone. Director Benton informed the auditor, that the ACT Center has not received any telephone calls from the Hendry County Jail during the past year reporting sexual abuse or sexual harassment.

Mission Statement of Hendry County Sheriff's Office:

The men and women of the Hendry County Sheriff's Office are committed to excellence and integrity. We strive to reduce crime while providing objective, fair and equal treatment for all. We honor community and professional partnerships.

DESCRIPTION OF FACILITY CHARACTERISTICS

Hendry County is one of the largest counties in Florida covering 1,190 square miles and bordering Lake Okeechobee. The total population of Hendry County is 38,505 as of 2014 and is primarily split in the City of Labelle and the City of Clewiston. There are many farming and migrant communities in-between these two cities. The Hendry County Sheriff's Office is located at 101 S. Bridge Street in Labelle, Florida 33935. Sheriff Steve Whidden is in his second term as Sheriff and operates the Hendry County Jail Division which has a capacity of 266 inmates and 280 beds.

The Detention Facility is currently staffed by 31 full-time detention officers which provide for the daily care, custody and control of the incarcerated population. The ADP for 2015 was 182 men, women, and juveniles. Hendry County Jail houses males, females, and juveniles between the ages of 14-17 who have been adjudicated for sentencing as adults. At the time of this audit, the Hendry County Jail had 5 juveniles in custody. There is one sally port with roll away gates which can hold a total of three vehicles at any one time and one visitor entrance.

The facility was constructed in 1983 and officially opened in 1986 with an original capacity of 101 inmates. Since its original construction the facility expanded in size to hold 193 inmates and then with the addition of the annex, the Hendry County Jail raised the rated capacity to 266.

The facility provides space for booking, administrative areas, first appearance court, food service, laundering, medical services, and 1 outdoor recreation yard. The first floor of the jail has (4) holding cells, (1) medical holding cell, (2) medical cells, (1) juvenile cell, (2) female housing pods, (1) female confinement cell. The third floor houses male inmates and has (1) trusty open bay pod, (1) small open bay pod, (1) large open bay pod, (1) secured cell pod, (4) confinement cells, and a Programs Room. The Annex has (2) pods consisting of (6) 8-man cells which houses male inmates.

SUMMARY OF AUDIT FINDINGS

On March 8, 2016, an exit interview was held in the conference room of Hendry County Jail . Those in attendance were Captain Bastys, Lieutenant Kosh, PREA Coordinator Larkins and PREA Auditors Grace White and Shaun Klucznik. Hendry County has met 39 standards, exceeded 3 standards and 1 standard was not applicable to the agency.

Number of standards exceeded: 3

Number of standards met: 39

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 Hendry County Jail has a written policy 8.25 mandating zero tolerance toward all forms of sexual abuse and sexual harassment. The policy outlines the agency's approach to preventing, detecting, and responding to such conduct. The agency employs a Classification Officer as the PREA Coordinator who reports directly to the Jail Administrator.

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)

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The Hendry County Jail does not contract with other entities for the confinement of inmates. This standard is not applicable to the Hendry County Jail.

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)

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Based on Hendry County Sheriff's Office policies and procedures, daily activity reports, staff rosters, documents provided by the PREA Coordinator and interviews with staff and inmates. Documentation of unannounced rounds that cover all shifts were reviewed.

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.

Based on Florida Model Jail Standards Chapter 18 and review of Physical Plant Diagram, logbook entries of juvenile escorts, recreation, and programs attendance roster. A youthful inmate is not placed in a housing unit in which the youthful inmate has sight, sound, or physical contact with any adult inmate through use of shared dayroom or other common space, shower area, or sleeping quarters. There is direct supervision at all times with the youthful inmates. Policy 8.25-6 supports this standard as well as the inspection of the housing unit during the facility tour. At the time of the audit, there were five youthful inmates housed at this facility.

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.

Hendry County Jail requires all staff of the opposite gender to announce their presence when entering the inmate housing. This was documented during interviews with staff and inmates. This was observed during the inspection of the housing units. Policies 8.25, 8.04, and 8.27 cover all elements for this standard. Staff interviews and training records indicated staff have been trained on procedures regarding how to conduct cross gender searches and pat down searches only in exigent circumstances. All searches are required by policy to be documented.

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.

Agency Policy 8.25-9 covers all elements of this standard ensuring inmates with disabilities including those who are hard of hearing, blind, and possess intellectual difficulties have equal opportunities to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

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.

Interviews with Human Resource Director and the Jail Administrator, who confirmed that the review of criminal backgrounds, as required by Agency Policy 780.02A and Policy 1.17 of this standard, are up to date, as well as volunteers and contractors who may have contact with inmates.

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.

Based on interviews with the Jail Administrator and PREA Coordinator, Agency Policy 8.25 states, "When installing or updating video monitoring system, electronic technology, or when designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the Hendry County Sheriff's Office shall consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse." Hendry County Jail has (13) cameras outside, (46) cameras on the first floor, (17) cameras on the 3rd Floor and (32) cameras within the Annex. Cameras have been placed strategically throughout the facility and allow for continued surveillance of the inmate population. This was observed during the facility tour.

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.

Agency Policies 8.25 PREA and 320.01 Collection of Evidence covers all elements of this standard that includes protocol for investigating and gathering evidence for sexual abuse and sexual harassment incidents. The Hendry County Sheriff's Office is responsible for investigating all allegations of sexual abuse and sexual harassment incidents. The Hendry County Sheriff's Office has a Memorandum of Agreement with the Abuse Counseling and Treatment Center (ACT). The auditor contacted the Director of ACT, Jennifer Benton, prior to the onsite audit. Director Benton stated that the jail provides emergency services and support through the free telephone call services the inmates are allowed to make. During intake, inmates are provided with an inmate handbook that provides the telephone number to ACT.

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 Hendry County Sheriff's Office web page states that members of the public may make a report by contacting the Professional Standards Unit and the telephone number is listed. The Hendry County Sheriff's Office conducts all administrative and criminal investigations for the Hendry County Jail. Notification of such allegations are initiated by an on duty staff member (first one on the scene). All initial information is forwarded to the PREA Coordinator as soon as possible for inclusion with this fact finding. All complaints are investigated as criminal events until such time as they are deemed not to have prosecutorial merit. The event is then investigated as an administrative inquiry. The investigation determines the action to be taken. Agency policies 315.01 Sex Crimes Investigation and 8.25 Sexual Abuse/Assault Prevention and Intervention covers the elements of this standard.

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.

Agency policies 8.25 Sexual Abuse/Assault Prevention and Intervention and 8.27 LGBTI cover all elements of this standard. Training also consist of Lock Up USA, Volume 11, Issue 4, Complying with PREA for the CO. training curriculum, training verification sign in sheets were reviewed. Staff interviews with specialized staff and randomly selected on duty staff members confirm compliance. In addition to the initial PREA training, the PREA Coordinator conducts PREA refresher training for zero tolerance of sexual abuse and sexual harassment annually to each employee.

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.

Agency Policy 8.25- 7-I outlines the Hendry County Sheriff's Office training requirements for volunteers and contractors. The objectives of the training ensures that volunteers and contractors are notified of the agency's zero tolerance policy regarding sexual abuse and sexual harassment and are informed on how to report such incidents. The PREA Coordinator conducts the training through a Power Point entitled PREA: Prison Rape Elimination Training for Volunteer/Contractor. Verification of training is maintained by the PREA Coordinator. Prior to on site, the auditor reviewed the documentation that is contained within the Power Point.

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.

Based on Policy 8.25-9 Sexual Abuse/Sexual Assault Prevention and Intervention, Inmate Education, Inmate Handbook in English/Spanish. During the intake process, inmates receive information explaining the Hendry County Sheriff's Office zero-tolerance policy regarding sexual abuse and sexual harassment and how to report such incidents. Inmates receive an inmate handbook containing PREA reporting information such as the number to ACT. Zero Tolerance posters are posted in each housing unit and these posters contain free telephone numbers for inmates to use to report an incident of sexual abuse and sexual harassment. The PREA Coordinator conducts additional PREA training for inmates within 30 days of arrival to the Hendry County Jail. This training consists of a PREA pamphlet that is explained by the PREA Coordinator in person to the new intakes in the programs room. The PREA Coordinator provides inmate education in formats accessible to all inmates, including those that are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. There is documentation (inmate sign in sheets) of inmate participation in these education sessions.

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.

Based on Agency Policies 8.20 Suspected Crimes and Preservation of Evidence and 8.25-H Sexual Abuse/Assault Prevention and Intervention have exceeded the elements of this standard. Hendry County Sheriff's Office has three sworn staff that have received PREA Specialized Training: Investigating Sexual Abuse in Confinement Settings. This training is in addition to the general training provided to all employees. The agency maintains documentation of a sworn staff members that have received the specialized training. Upon interview of one of the investigators he confirmed receiving this specialized training and he is knowledgeable of his responsibilities in conducting sexual abuse investigations in confinement settings. During interview of the investigator he answered each question in detail and was thorough with correct answers proving his extensive knowledge in sexual abuse and sexual harassment investigations. Investigate reports and documentation were reviewed and proved that investigator exceeds in detail and thoroughness.

Standard 115.35 Specialized training: Medical and mental health care

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

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

Based on Agency Policy 8.25-7 F Sexual Abuse/Assault Prevention/Intervention, Medical and Mental Health Staff have received training on how to detect and assess signs of sexual abuse and sexual harassment, how to preserve physical evidence, how to respond professionally to victims of sexual abuse and sexual harassment. The facility maintains documentation that all medical and mental health practitioners have received this training. Interviews were conducted with the Nurse and Mental Health Worker and both acknowledged receiving this specialized training and knew their responsibilities. The facility medical staff does not conduct SAFE/SANE exams. SAFE/SANE exams are performed at a local hospital.

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)

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The Hendry County Jail policies 8.27 LGBTI and 8.25 Sexual Abuse/Assault Prevention and Intervention requires screening for risk of sexual victimization or sexual abusiveness toward others during intake. An objective screening checklist is used to determine if the inmate is at risk. Policy prohibits disciplining inmates for refusing to answer the questions. The following questions are asked or observed by the interviewer: Whether or not the inmate has a mental, physical, or developmental disability; Whether or not known gang affiliation and if familiar with jail/prison life; Whether or not the inmate is gay, lesbian, bisexual, transgender, or intersex; Whether or not the inmate has previously experienced sexual victimization; and the inmate's own perception of vulnerability. Agency policy requires that an inmate be reassessed when warranted due to a referral, request, incident of sexual abuse or other information that may be relevant to the inmate's safety.

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)

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The auditor interviewed Intake staff and Classification/PREA Coordinator to determine how the Sexual Assault Risk Assessment is used to assign work/housing and education assignments. The assessment is used to identify inmates of victimization or inmates that may be sexual abusers. Classification staff utilizes the risk assessment to determine 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. The Hendry County Jail does not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated housing units solely on the basis of such identification. During the interview with a bisexual inmate, the inmate reported that she had not been placed in any special housing unit because of her sexual orientation. Agency policy 3.04 Inmate Classification and Housing and Agency policy 8.27 LGBTI were reviewed and meet all elements of this standard.

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)

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Based on Policy 8.25.13-F, G, H Sexual Abuse/Assault Prevention and Intervention and interviews with the Jail Administrator and PREA Coordinator, no inmates have been placed in involuntary segregation housing for PREA purposes. Agency policy states upon learning that an inmate is a high risk for sexual victimization the Classification Officer shall avoid placing the inmate in involuntary segregation unless an assessment of all available alternatives have been made and a determination has been made that there is no available alternative means of separation from likely abusers. If the facility cannot conduct an assessment immediately, the facility may hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment. Inmates placed in segregated housing for this purpose (high risk for sexual victimization) shall have access to programs, privileges, education, and work opportunities to the extent possible. If the Classification Officer restricts access to programs, privileges, education or work opportunities, the Classification Officer shall document: 1.The opportunities that have been limited;2. The duration of the limitation; and 3.The reasons for such limitations. If an involuntary segregated housing assignment is made, the Classification Officer shall clearly document the basis for the facility's concern for the inmate's safety and the reason why no alternative means of separation can be arranged. If an involuntary segregated housing assignment is made, the Classification Officer affords each inmate a review every 30 days to determine whether there is a continuing need for separation from the general population. The Classification Officer shall be prohibited from placing inmates who allege to have suffered sexual abuse in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination has been made that there are no available alternative means of separation from likely abusers. If staff becomes aware that an inmate is subject to a substantial risk of imminent sexual abuse, the inmate shall be placed immediately in Protective Custody until the PREA Coordinator can assess for proper housing and classification needs.

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.

Based on Agency Policy 8.25-10 C-J and Policy 710.01 All inmates shall be educated on the multiple internal and external ways for them to report privately to staff about: Sexual abuse or sexual harassment; Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment; and Staff neglect or violation of responsibilities that may have contributed to such incidents. The Hendry County Sheriff's Office also has at least one way for inmates to report sexual abuse and sexual harassment to a public entity or office that is not a part of the agency. These methods of reporting shall be published on the agency's website. All staff shall be informed of the ways they are able to report sexual abuse and sexual harassment of an inmate. All staff shall accept a report of sexual assault and sexual harassment whether it is made verbally, in writing, anonymously, or from third parties. If the report is verbal, staff shall document and advise the shift supervisor and/or PREA Coordinator of the report immediately. Methods of receiving third party reports of sexual abuse or sexual harassment shall be published on the agency's website. Apart from reporting incidents of sexual abuse to the shift supervisor and/or the PREA Coordinator, staff is prohibited from revealing any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, other security and management decisions, as well as designated state and local service agencies. If the inmate calls an outside support service or victim advocate then staff shall inform the inmate of the mandatory reporting rules governing confidentiality that apply to reports of sexual abuse. The information of the victim, abuser, witnesses and details of the report will be restricted to a need to know basis. Any inmate who makes an allegation that he or she suffered sexual abuse in the facility shall be informed, verbally or in writing, as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation by the PREA Coordinator. The PREA Coordinator shall retain documentation of these notifications. Random staff were interviewed and were educated in the different ways an inmate may report sexual abuse and sexual harassment. Several inmates were interviewed from all housing units. Inmates were knowledgeable of the many ways the inmate population can report sexual abuse and sexual harassment. Inmates have access to an Inmate Request/Inmate Grievance Form on the Kiosk located in each housing units. Inmates interviewed were knowledgeable of the inmate posters within each housing unit informing the inmate to dial 9 for internal PREA reporting and dial 0 for outside PREA confidential reporting. Inmates interviewed informed the auditor that during intake, they receive an inmate handbook advising of the ways of reporting sexual abuse and sexual harassment. Abuse Counseling and Treatment, Inc. ACT reporting information telephone and address is available in the inmate handbook. The auditor reviewed the inmate handbook, kiosk machines, and the auditor dialed 0 for outside reporting and the auditor dialed 9 from the inmate phones. The numbers 9 and 0 immediately dialed the PREA Hotline. Based on policies, staff and inmate interviews, Hendry County Jail exceeded all elements of this standard.

Standard 115.52 Exhaustion of administrative remedies

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

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

Based on Agency Policy 8.25-12 INMATE GRIEVANCES AND FINAL DECISION OF GRIEVANCES: Hendry County Jail meets all elements of this standard. Inmates confined in the Hendry County Jail may access inmate request and grievance forms on the kiosks located in their housing units for administrative issues relating to medical needs, commissary and money issues, classification and trusty opportunities and for incidents and suspicions of sexual abuse and sexual harassment. If the inmate is in an area such as confinement or holding and does not have access to the kiosk, then the inmate may obtain a written request/grievance form from any staff member and have that request or grievance answered by the appropriate department. An inmate may submit a grievance regarding an allegation of sexual abuse at any time, regardless of when the incident is alleged to have occurred. There may be a time limit applied to any portion of a grievance that does not allege an incident of sexual abuse. An inmate making an allegation of sexual abuse is not required to use an informal grievance (inmate request) form, or otherwise attempt to resolve with staff, other than the PREA Coordinator and/or Jail Administrator or designee, an alleged incident of sexual abuse. An inmate can submit a grievance alleging sexual abuse without submitting it to the staff member who is the subject of the complaint nor shall the inmate be referred to the staff member who is the subject of the complaint to resolve the issue. Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates may be permitted to assist the inmate in filing requests for administrative remedies relating to allegations of sexual abuse and to file such requests on behalf of the inmate. If an inmate declines to have third-party assistance in filing a grievance alleging sexual abuse, staff shall document the inmate's decision to decline.

Emergency grievances may be filed by inmates if they are alleging that they are the subject to a substantial risk of imminent sexual abuse. Emergency grievances alleging substantial risk of imminent sexual abuse require an initial response within 48 hours and a final decision within five days. The initial response and final agency decision shall document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance. The PREA Coordinator will review all grievances of allegations of sexual abuse and refer the grievances to a Sexual Assault Investigator for review. If the investigator determines that it is an administrative issue then the PREA Coordinator and the Jail Administrator or designee shall conduct an interview with the alleged victim, alleged abuser and witnesses as part of the administration investigation. The Jail Administrator or designee will issue a final decision following a grievance alleging sexual abuse within 90 days of the initial filing of the grievance. An extension may be filed up to 70 days if the normal time period is insufficient to make an appropriate decision. The Jail Administrator or designee shall notify the inmate in writing that an extension was granted and the revised date of the final decision. If the inmate does not receive a response within the time allotted for a reply, the inmate may consider the response to be a denial. The agency has the ability to discipline an inmate for filing a grievance alleging sexual abuse to occasions where the agency demonstrates that the inmate filed the grievance in bad faith. This discipline shall be limited as to what the agency determines is necessary.

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.

Hendry County Jail has a Memorandum of Agreement with the Abuse Counseling and Treatment Center (ACT) that was signed by both parties in May 2014. Prior to the onsite audit, the auditor spoke with Jennifer Benton, the Director of ACT. She stated that since the signing of the MOA, no inmate from Hendry County Jail has contacted ACT for services. Agency Policy 8.25-10, (I) If the inmate calls an outside support service or victim advocate then staff shall inform the inmate of the mandatory reporting rules governing confidentiality that apply to reports of sexual abuse. The information of the victim, abuser, witnesses and details of the report will be restricted to a need to know basis. Inmates interviewed were aware that they could contact ACT on the inmate telephones and the inmates were aware that there was no charge for the call. Inmates interviewed stated that ACT contact information is in the Inmate Handbook.

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.

Based on Agency Policy 8.25 Sexual Abuse/Assault Prevention and Intervention and staff/inmate interviews, Hendry County Jail has exceeded all elements of this standard. For Third Party reporting, Hendry County has established an Memorandum of Agreement with Glades County Sheriff's Office. The MOA is entered into for the purposes of establishing and maintaining third party and/or anonymous reporting of sexual abuse and sexual harassment for incarcerated individuals as well as concerned citizens. These methods shall be made public and posted within the confines of the jail in accordance with each standard. Hendry County has an MOA with the Abuse Counseling and Treatment (ACT), the contact information for ACT is found in the handbook. Hendry County has a webpage with a PREA link informing the public that reports of sexual abuse and harassment may be reported to Professional Standards with a telephone number on the webpage. The auditor confirmed all of the PREA Hotline numbers posted in the inmate housing units using the inmate telephones and all were in working order.

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.

Based on Agency Policy 8.25.14 and random staff interviews during the onsite Hendry County meets all elements of this standard. Staff shall also immediately report, to the Jail Administrator or designee, any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. Apart from reporting incidents of sexual abuse to the shift supervisor and/or the PREA Coordinator, staff is prohibited from revealing any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, other security and management decisions, as well as designated state and local service agencies. Staff shall report all allegations of sexual abuse or sexual harassment, including third-party and anonymous reports to the PREA Coordinator. Staff shall immediately report any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in any facility, whether or not it is a part of the Hendry County Sheriff's Office. If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable person's statute, the PREA coordinator shall report the allegation to the designated State or local services agency under applicable mandatory reporting law. Chapter 39 of the Florida Statutes (F.S.) mandates that any person who knows, or has reasonable cause to suspect, that a child is abused, neglected, or abandoned by a parent, legal custodian, caregiver, or other person responsible for the child's welfare shall immediately report such knowledge or suspicion to the Florida Abuse Hotline of the Department of Children and Families. The Department of Children and Families is also responsible, as mandated in Chapter 415, F.S., for providing services to detect and correct abuse, neglect and exploitation of vulnerable adults who because of their age or disability, may be unable to adequately provide for their own care or protection. Consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting is not required if the inmate is under the age of 18.

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.

Every inmate when they enter the facility will be asked questions from the Sexual Assault Risk Assessment. The Risk Assessment is then given to the Classification Officer to determine proper housing. The inmate will be housed according to whether they are a potential victim, known victim, potential abuser, known abuser or pose the least risk for either. If the inmate poses a threat to other inmates or may be a victim that inmate may be placed in Administrative Segregation not to exceed 24 hours, the Classification Officer will promptly interview the inmate and determine housing status. If staff learns that an inmate is subject to a substantial risk of imminent sexual abuse, the inmate shall be placed immediately in Protective Custody until the PREA Coordinator can assess for proper housing and classification needs. Compliance with this standard was based on staff interviews and Agency Policies 8.27 LGBTI and 8.25 Sexual Abuse/Assault Prevention and Intervention.

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.

Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the PREA Coordinator must notify the head of the facility or appropriate office of the agency or facility where the sexual abuse is alleged to have occurred. The PREA Coordinator shall provide such notifications as soon as possible, but no later than 72 hours after receiving the allegation. The PREA Coordinator will document that it has provided such notification within 72 hours of receiving the allegation. The PREA Coordinator will notify a Sexual Assault Investigator as to the allegation for investigative purposes within 24 hours of receiving the allegation. Based on Agency Policy 8.25.14-G Sexual Abuse/Assault Prevention and Intervention and staff interviews with the PREA Coordinator and the Jail Administrator, no allegations have been reported. Hendry County Jail is in compliance with all elements of this standard.

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.

Agency Policy 8.25-8 FIRST RESPONDER DUTIES: Upon learning of an allegation that inmate was sexually abused, the first security staff member to respond will shall be required to: Separate the alleged victim and abuser; Preserve and protect any crime scene until appropriate steps can be taken to collect evidence. If the abuse occurred within a time period that still allows for the collection of physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, drinking or eating. If the first responder is not a security staff member, that responder shall be required to notify security staff. Random interviews with security and non-security staff revealed that they understood the policy and practice to follow. There have been no allegations in the past 12 months that required collection of physical evidence. Staff training and documentation were reviewed onsite. Hendry County Jail is in compliance with all elements of this standard.

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.

Agency Policy 8.25.8 Sexual Abuse/Assault Prevention and Intervention First Responder Duties: Establishes a plan to coordinate actions taken in response to an incident of sexual abuse among staff first responders, medical and mental health practitioners, investigators, and facility leadership shall be as follows: First responders shall immediately separate the alleged victim from the abuser; preserve and protect any crime scene until appropriate steps can be taken to collect any evidence; First responders shall ensure the alleged victim not take any actions that could destroy physical evidence, including washing, brushing teeth, changing clothes, urinating, defecating, eating or drinking; First responders shall immediately notify Shift Supervisor and/or PREA Coordinator (if on duty) of the report; PREA Coordinator shall immediately notify the Jail administrator or designee, the Sexual Assault Investigation Team, Medical staff (if on duty) and Mental Health (on-Call) of the report Medical (if on duty) shall make an assessment of the victim's acute medical needs and immediately offer victim services. If Medical staff is not on duty the inmate shall be immediately transported to the Hendry Regional Medical Center for a forensic medical exam; Medical staff shall do a follow-up assessment as soon as possible for any further needs; Sexual Assault Investigation Team shall interview the victim and any witnesses; Mental Health shall provide an assessment as soon as possible. Inmate victims of sexual abuse shall receive timely and unimpeded access to emergency medical treatment and crisis intervention services, as soon as possible. No security staff member shall make a determination of adequate medical or mental health care that is to be given. Only medical and mental health staff shall determine what services shall be given according to their professional judgment. Based on agency policy and interviews conducted with medical/mental health practitioners, PREA Coordinator, Detention Investigator and random staff members, the agency is in compliance with this standard.

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.

Based on the interviews with the PREA Coordinator, Jail Administrator and random staff members the agency has a policy in place to

protect inmates and to respond to any incident of sexual abuse. Agency policy 8.25 Sexual Abuse/Assault Prevention and Intervention. Hendry County Jail is in compliance with this standard.

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.

Based on Agency policies 3.04 Inmate Classification, 10.05 Administrative Segregation and 8.25 Sexual Abuse/Assault Prevention and Intervention and staff interviews conducted on site, Hendry County Jail is in compliance with this standard. The PREA Coordinator shall be the designated staff member charged with monitoring for possible retaliation. The PREA Coordinator will monitor the conduct or treatment of inmates or staff who report sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are any changes that may suggest possible retaliation by inmates or staff. Staff shall immediately report, to the PREA Coordinator, any retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment. Staff shall also immediately report, to the Jail Administrator or designee, any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. The PREA Coordinator shall monitor this conduct or treatment for a period of 90 days. The PREA Coordinator shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need. In the case of inmates, such monitoring shall also include periodic status checks. If any other individual who cooperates with an investigation expresses a fear of retaliation, the PREA Coordinator shall take appropriate measures to protect that individual against retaliation. The agency's obligation to monitor shall terminate if the agency determines that the allegation is unfounded. All inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation by other inmates or staff.

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 agency prohibits inmates who have alleged sexual abuse to be placed in involuntary segregation. If segregated housing was used, the same provisions as outlined in policy 8.25. 13 would apply. Interviews with the Jail Administrator, PREA Coordinator and segregation staff revealed that involuntary segregation has not been used for this purpose. Hendry County Jail is in compliance with this standard.

Standard 115.71 Criminal and administrative agency investigations

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

relevant review period)

- Does Not Meet Standard (requires corrective action)

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

Based on Agency policies 8.20 Suspected Crimes and Preservation of Evidence, 8.25.19 Sexual Abuse/Assault Prevention and Intervention and review of Investigator Training Records, Investigator Specialized Training to include, Train the Trainer for Sex Crimes within a confinement setting, and Interview with the Investigator. It should be noted that Hendry County Sheriff's Office has three staff members that have received additional training for Investigating Sexual Abuse in Confinement settings. Hendry County Sheriff's Office investigates all administrative and criminal investigations. The agency ensures that investigations of sexual abuse are investigated immediately when notified of an allegation. There were no sexual abuse allegations referred for prosecution in the past year. When the investigator was interviewed he was well versed in his responsibility of handling investigations as required by this standard. Hendry County Jail is in compliance with this standard.

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.

Based on Agency policy 8.25 Sexual Abuse/Assault Prevention and Intervention 19, Investigations Hendry County Sheriff's Office imposes no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated, therefore, the facility demonstrated compliance with this part of the standard during the audit.

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.

Based on Agency Policy 8.25-19, following an investigation into an inmate's allegation that he or she suffered sexual abuse in the facility, the PREA Coordinator shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. An agency's obligation to report shall be terminated if the inmate is released from the agency's custody. Following an inmate's

allegation that he or she has been sexually abused by another inmate in the facility, the Jail Administrator or designee shall inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility. All notifications to inmates shall be documented. The PREA Coordinator shall retain all written reports pertaining to the administrative and criminal investigations of alleged sexual abuse or sexual harassment for as long as the abuser is incarcerated or employed by the agency, plus five years. The departure of the alleged abuser or victim from the employment or control of the facility or agency shall not provide a basis for terminating an investigation. Interviews with PREA Coordinator and Investigator, Hendry County Jail is in compliance with this standard.

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.

Based on 8.25-17 DISCIPLINARY SANCTIONS: Staff is subject to disciplinary sanctions up to and including termination for violating agency sexual abuse and sexual harassment policy. Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse. Any staff member who has an accusation of sexual abuse or sexual harassment brought against them shall be investigated by member of the same law enforcement agency that employees that staff member. All terminations for violations of agency sexual abuse or sexual harassment policies or resignations by staff who would have otherwise been terminated if not for their resignation shall be reported to the Florida Department of Law Enforcement. Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history and the sanctions imposed for.

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.

Based on Agency Policy 8.25-17 Sexual Abuse/Assault Prevention and Intervention: D&E Disciplinary Sanctions, The Jail Administrator or designee shall ensure that appropriate and immediate remedial measures are taken when a contractor or volunteer is in violation of agency sexual abuse and sexual harassment policies. These measures may extend to whether the individual should be prohibited from further contact with inmates. Any contractor or volunteer who engages in sexual abuse shall be reported to a Sexual Assault Investigator (unless the activity was clearly not criminal) and relevant licensing bodies. Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates. Based on interviews with the Jail Administrator, PREA Coordinator and the Lieutenant there were no contractors and/or volunteers that have been accused of engaging in sexual abuse or sexual harassment. Both volunteers and contractors understand the policy and ramification for engaging in sexual abuse. Documentation of Volunteer and Contractor Training and (Sign In) sheets were reviewed on site. The Hendry County Jail is in compliance with this standard.

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.

Based on Agency Policy 8.25-17 and classification staff interviews, Hendry County Jail is in compliance with this standard. Hendry County Jail has had no substantiated claims of inmate on inmate sexual abuse. Inmates are subject to various disciplinary sanctions depending on whether the investigation of inmate on inmate sexual abuse was criminal or administrative. Sexual abuse activity shall be any activity that is determined to be coerced. Disciplinary sanctions for inmates for sexual abuse with staff shall only be permitted if the outcome of the investigation found that the staff member did not consent to the sexual abuse. Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories. The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed. If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits. The agency has the ability to discipline an inmate for filing a grievance alleging sexual abuse to occasions where the agency demonstrates that the inmate filed the grievance in bad faith. This discipline shall be limited as to what the agency determines is necessary. Disciplinary action for a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred, even if the investigation does not establish evidence sufficient to substantiate the allegation shall be prohibited.

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.

Every inmate shall be screened for their risk of sexual victimization or abusiveness within 72 hours of their initial booking. The questions on the objective screening instrument shall be asked by the booking officer at intake. The Risk Assessment shall then be given to the PREA Coordinator/Classification Officer for completion. This screening is used by the Classification Officer for proper housing. When an inmate reports having been a victim of sexual abuse/assault and expresses a willingness to participate in treatment, staff shall refer the inmate to Mental Health Services, by having the inmate sign the Sexual Abuse Mental Health Consent Form. This referral shall be offered within 14 days of the inmate's booking. Mental Health Services staff shall assess the inmate's need for treatment and discuss available treatment options when appropriate. Consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting is not required if the inmate is under the age of 18. All inmates entering the facility are screened by staff using the Screening for Risk of Sexual Victimization and Abusiveness Form. These Forms are then sent to the PREA Coordinator for review and proper housing assignments within the Jail. Based on Agency Policy 8.25.4 and 13 and staff interviews with on Duty Nurse and Mental Health Counselor, Hendry County Jail is in compliance with this standard.

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.

Based on Policy 8.25 Sexual Assault/Abuse Prevention and Intervention, Auditors review of sexual abuse risk screening assessment and interviews with staff responsible for risk screening, (intake, classification) and medical and mental health counselor. When an inmate reports having been a victim of sexual abuse/assault and expresses a willingness to participate in treatment, staff shall refer the inmate to Mental Health Services, by having the inmate sign the Sexual Abuse Mental Health Consent Form. This referral shall be offered within 14 days of the inmate's booking. Mental Health Services staff shall assess the inmate's need for treatment and discuss available treatment options when appropriate. Consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting is not required if the inmate is under the age of 18. Hendry County Jail meets all elements of this standard.

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.

Based on Agency policies 6.03 Inmate Care and Treatment and 8.25-14 Sexual Assault/Abuse and Prevention and Intervention, Hendry county offers medical and mental health referrals for continuous care after the release from Hendry County. On Duty Nurse and the Mental Health Counselor were interviewed on site. Hendry County Jail meets all elements of this standard.

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.

Based on Agency Policy 8.25.-17 Sexual Assault/Abuse and Prevention and Intervention and with interview of Jail Administrator, Lieutenant and PREA Coordinator. These are the members of the Incident Review Team, the facility is required to conduct a sexual abuse incident for every sexual abuse investigation. Additional members can include line supervisors, the investigator and the medical and mental health staff. In review of secondary documentation, all requirements of 115.86(d) are considered in the review and recommendation for improvement is made. All investigation of sexual abuse in the past 12 months were followed by an incident review. To date there have been no founded sexual abuse cases to review.

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.

8.25-20 DATA COLLECTION AND REVIEW: A. The PREA Coordinator shall collect accurate, uniform data for every allegation of sexual abuse at the facility using a standardized instrument and set of definitions. This standardized instrument shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the Department of Justice. The PREA Coordinator shall aggregate the incident-based sexual abuse data at least annually. The incident-based and aggregated data shall be securely retained. Aggregated sexual abuse data shall be made readily available to the public at least annually through the agency's website. The PREA Coordinator maintains, reviews and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. This data is collected and aggregated in order to assess and improve the effectiveness of its sexual abuse prevention, detection, response policies, and training including: Identifying problem areas; Taking corrective action on an ongoing basis; Preparing an annual report of its findings from its data review and any corrective actions for the agency as a whole. The annual report shall include a comparison of the current year's data and corrective actions with those of prior years, and an assessment of the agency's progress in addressing sexual abuse. This annual report shall be published on the agency's website. The report shall be reviewed and approved by the Jail Administrator or designee and reviewed approved by the Sheriff before being placed on the agency's website for publication. Before making aggregated sexual abuse data publicly available, the PREA Coordinator shall remove all personal identifiers. Material may be redacted from an annual report for publication, the redactions are limited to specific materials where publication would present clear and specific threats to the safety and security of the facility. The nature of the material that has been redacted shall be indicated in the report. The agency shall maintain sexual abuse data for at least 10 years after the initial collection. Based on agency policy and review of Hendry County Sheriff's Office webpage, this standard is in compliance.

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.

Based on Agency Policies 130.07 Records and 8.25 Sexual Abuse/Assault Prevention and Intervention Copies of case reports will be released per applicable public records law, subject to fees where authorized by Florida State Statutes. However, the names or identities of individuals protected by law, such as child abuse victims, sexual battery victims, and juveniles arrested for misdemeanors will be redacted from such copies in accordance with F.S.S. 119.

The PREA Coordinator maintains, reviews and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. This data is collected and aggregated in order to assess and improve the effectiveness of its sexual abuse prevention, detection, response policies, and training including: 1. Identifying problem areas; 2. Taking corrective action on an ongoing basis; 3. Preparing an annual report of its findings from its data review and any corrective actions for the agency as a whole.

The annual report shall include a comparison of the current year's data and corrective actions with those of prior years, and an assessment of the agency's progress in addressing sexual abuse. This annual report shall be published on the agency's website.

The report shall be reviewed and approved by the Jail Administrator or designee and reviewed approved by the Sheriff before being placed on the agency's website for publication. Before making aggregated sexual abuse data publicly available, the PREA Coordinator shall remove all personal identifiers. Material may be redacted from an annual report for publication, the redactions are limited to specific materials where publication would present clear and specific threats to the safety and security of the facility. The nature of the material that has been redacted shall be indicated in the report. The agency shall maintain sexual abuse data for at least 10 years after the initial collection.

The agency website www.hendrysheriff.org contains data for review.

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.

Based on 8.25-20, Sexual Abuse/Assault and Intervention,(Data Collection) The PREA Coordinator shall aggregate the incident-based sexual abuse data at least annually. The incident-based and aggregated data shall be securely retained. Aggregated sexual abuse data shall be made readily available to the public at least annually through the agency's website. Hendry County Jail ensures that the data that is collected is secured and retained for at least 10 years after the initial collection. Additionally, per standard 115.87 any data collected can be maintained longer if required by federal, state, or local law. Prior to publishing aggregated sexual abuse data, Hendry County removes all personal identifiers. Interviews with the Jail Administrator and PREA Coordinator and a review of Hendry County Sheriff's Office webpage for Data Collection, this standard is in compliance.

AUDITOR CERTIFICATION

I certify that:

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

Grace White

Auditor Signature

March 23, 2016

Date