

Prison Rape Elimination Act (PREA) Audit Report Adult Prisons & Jails

Interim Final

Date of Report January 7, 2019

Auditor Information

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Telephone: 715 896-2648	Date of Facility Visit: November 27-29, 2018

Agency Information

Name of Agency: Waukesha County Sheriff's Department		Governing Authority or Parent Agency (If Applicable):	
Physical Address: 515 W. Moreland Blvd.		City, State, Zip: Waukesha, WI 53188	
Mailing Address:		City, State, Zip:	
Telephone: 262-548-7170		Is Agency accredited by any organization? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
The Agency Is:	<input type="checkbox"/> Military	<input type="checkbox"/> Private for Profit	<input type="checkbox"/> Private not for Profit
<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> County	<input type="checkbox"/> State	<input type="checkbox"/> Federal

Agency mission: The Waukesha County Sheriff's Department shall serve all citizens of Waukesha County by maintaining and providing the quality means and services necessary to protect life and property through the fair and impartial enforcement of federal, state and local laws. To preserve the safety and security of the community, the Waukesha County Sheriff's Department shall make every effort to provide the citizens of Waukesha County with the best law enforcement services possible and shall endeavor to treat all citizens with dignity and respect. To these ends, the Waukesha County Sheriff's Department is committed to not only its traditional and time honored statutory responsibilities, but to the maintenance of a visible presence to the citizens in the community as a full-service law enforcement agency, devoted to the preservation of their safety and security.

Agency Website with PREA Information: <https://www.waukeshacounty.gov/>

Agency Chief Executive Officer

Name: Eric Severson	Title: Sheriff
Email: Sheriff@waukeshacounty.gov	Telephone: 262-541-7122

Agency-Wide PREA Coordinator

Name: Larry Compton	Title: Corrections Lieutenant
Email: Lcompton@waukeshacounty.gov	Telephone: 262-518-7170
PREA Coordinator Reports to: Brenda Greenwald, Corrections Captain	Number of Compliance Managers who report to the PREA Coordinator: 4

Facility Information

Name of Facility: Waukesha County Jail & Huber Facility			
Physical Address: 515 W. Moreland Blvd. Waukesha, WI 53188			
Mailing Address (if different than above):			
Telephone Number: 262-548-7170			
The Facility Is:	<input type="checkbox"/> Military	<input type="checkbox"/> Private for profit	<input type="checkbox"/> Private not for profit
<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> County	<input type="checkbox"/> State	<input type="checkbox"/> Federal
Facility Type:	<input checked="" type="checkbox"/> Jail	<input type="checkbox"/> Prison	
Facility Mission: Same as Agency			
Facility Website with PREA Information: https://www.waukeshacounty.gov/jail-division/county-jail-and-huber-facility-PREA/			

Warden/Superintendent

Name: Michael Giese	Title: Jail Administrator
Email: Mgiese@waukeshacounty.gov	Telephone: 262-548-7171

Facility PREA Compliance Manager

Name: Multiple	Title: Correctional Lieutenants
Email:	Telephone: 262-548-7170

Facility Health Service Administrator

Name: James Matthews	Title: Health Services Administrator
Email: JMatthews@correctcaresolutions.com	Telephone: 262-548-7170

Facility Characteristics

Designated Facility Capacity: Jail: 489, Huber Facility: 322	Current Population of Facility: Jail 413, Huber Facility 105
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Number of inmates admitted to facility during the past 12 months			8006		
Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for 30 days or more:				1313	
Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for 72 hours or more:				3369	
Number of inmates on date of audit who were admitted to facility prior to August 20, 2012:				0	
Age Range of Population:	Youthful Inmates Under 18: 17	Adults: 18- 73			
Are youthful inmates housed separately from the adult population?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA	
Number of youthful inmates housed at this facility during the past 12 months:				69	
Average length of stay or time under supervision:				Varies	
Facility security level/inmate custody levels:				Initial, Restricted, Direct, Close Custody, Huber	
Number of staff currently employed by the facility who may have contact with inmates:				154	
Number of staff hired by the facility during the past 12 months who may have contact with inmates:				21	
Number of contracts in the past 12 months for services with contractors who may have contact with inmates:				4	
Physical Plant					
Number of Buildings: 2		Number of Single Cell Housing Units: 25			
Number of Multiple Occupancy Cell Housing Units:		0			
Number of Open Bay/Dorm Housing Units:		15			
Number of Segregation Cells (Administrative and Disciplinary):		380			
Description of any video or electronic monitoring technology (including any relevant information about where cameras are placed, where the control room is, retention of video, etc.): The Waukesha County jail employs a video camera and monitoring system for video surveillance. 305 cameras are placed strategically throughout the facility to ensure the safety and security of both inmates and staff.					
Medical					
Type of Medical Facility:		Contracted			
Forensic sexual assault medical exams are conducted at:		Waukesha Memorial Hospital			
Other					
Number of volunteers and individual contractors, who may have contact with inmates, currently authorized to enter the facility:				Jail 409, Huber 205	
Number of investigators the agency currently employs to investigate allegations of sexual abuse:				18	

Audit Findings

Audit Narrative

The Prison Rape Elimination Act (PREA) Audit for the Waukesha County Jail and Huber Facility (Waukesha County jail) which is a division of the Waukesha County Sheriff's Department (WSD) was conducted on November 27-29, 2018. This was the first Department of Justice (DOJ) PREA audit for this facility. The PREA Audit was coordinated through WSD and Andraska Consulting, LLC upon notification of being awarded the contract. DOJ Certified PREA Auditor David Andraska conducted the audit. A line of communication was developed between the PREA Coordinator and the auditor.

The auditor's pre-onsite preparations consisted of a thorough review of all documentation and materials submitted by the facility including the Pre-Audit Questionnaire (PAQ). The documentation reviewed by the auditor included agency policies, procedures, forms, posters, brochures, handbooks, educational materials, training curriculums, organizational charts, and other PREA related materials the facility provided to demonstrate compliance with each PREA standard. The auditor contacted Just Detention International (JDI) in reference to any information previously submitted by inmates and also reviewed the WSD website.

The audit began on Tuesday morning, November 27, 2018 with an entrance meeting with the PREA Coordinator and the auditor to discuss any concerns regarding the audit process and finalize the facility tour and interview schedule. The site visit consisted of conducting a full tour of the both the Jail and Huber facility, a thorough review of documentation, and formal and informal interviews with staff and inmates. Areas visited during the tour included the main lobby, all inmate housing areas, intake, laundry, kitchen, recreation areas, visiting room, all program areas, and the control station. During the tour, the auditor reviewed staffing; logs; physical plant; sight lines; camera coverage; and tested the inmate phone system for reporting PREA allegations. PREA posters and notifications of the PREA audit (in English and Spanish) were observed posted throughout all areas accessible to inmates. The notification of the PREA audit visit was documented as posted on October 19, 2018. A photograph of the posted notice was provided to the auditor.

The Waukesha County Jail has 154 staff that may have contact with inmates. A total of 29 staff members were interviewed during the course of this audit. The security staff is assigned three 8 hours shifts. The auditor conducted interviews with security staff on all shifts which included officers and lieutenants for a total of eight random interviews. Maintenance is performed by Waukesha County employees and two maintenance staff were interviewed. Contract staff is utilized for medical/mental health services, education, food service and commissary. A total of seven contract staff were interviewed. Twelve specialized staff members were interviewed that that encompassed all specialized staff roles. In addition one volunteer and a sane provider were also interviewed. All staff at the Waukesha County Jail are trained as first responders and uniform and non-uniform staffs interviewed were well versed in their areas of responsibility regarding responding to PREA allegations.

On the first day of the audit there were 413 inmates at the jail (365 males and 48 females), 105 inmates at the Huber Facility (85 males and 20 females) for a total of 518 inmates. There were

515 adult inmates and three juvenile inmates. A total of 32 inmates (21 males and 11 females) were interviewed. 20 inmates were randomly selected, and 12 inmates were in the targeted group. These included one inmate that self-reported as lesbian, two inmates that were juveniles, three inmates that had cognitive disabilities, three inmates that had reported sexual abuse and three inmates that were identified at intake as potential victims. There were no inmates with physical disabilities, limited English speaking or transgender or intersex inmates. All inmates interviewed stated they felt safe and demonstrated a good understanding of PREA and reporting options. No inmates contacted the auditor prior to the on-site audit.

There were fifteen allegations of sexual abuse/harassment reported in the past 12 months and all were investigated and completed. Three of the allegations that were reported occurred at other institutions or by the arresting agency. There was five (5) staff on inmate sexual abuse allegations with findings of one (1) unsubstantiated and four (4) unfounded. There were two (2) staff-on-inmate sexual harassment allegations with findings of one (1) unsubstantiated and one (1) unfounded. There were two (2) inmate-on-inmate sexual abuse allegations with findings of one (1) substantiated and one (1) unsubstantiated. There were six (6) inmate-on-inmate sexual harassment allegations with findings of one (1) substantiated, three (3) unsubstantiated and two (2) unfounded.

The auditor examined a random sampling of personnel files, staff, volunteer and contractor training records that are maintained at the facility. New hires, volunteers and contractors are not allowed entrance into the facility until a thorough background check is completed. The staff training records were complete and included written documentation that staff received and understood the required PREA training. The auditor selected and examined a random sample of inmate case files and reviewed documentation indicating by signature the inmates understood and received PREA information, as well as documentation of initial risk screenings and reassessments.

Facility Characteristics

The Waukesha County Jail is located at 515 West Moreland Blvd, in Waukesha, Wisconsin. The Huber Facility is located offsite at 1400 Northview Road, in Waukesha Wisconsin approximately 2 miles from the Jail.

The Waukesha County Jail is a 489-bed facility which is a combination of direct supervision and remote supervision housing pods. The County Jail is a maximum-security facility which houses male and female, pre-trial and sentenced offenders. Consistent with the Jail Division's mission statement to "safely and securely confine individuals in the least restrictive environment consistent with behavior, adjustment, special needs and severity of charges", the Jail Division maintains special programming to address inmate needs to include:

- Adult basic education, GED and adult high school classes.
- Career education and job-seeking skills.
- Alcohol and other addiction education, programs and counseling.
- Religious counseling, services and studies.

The Sheriff's Department also operates the Huber Law or work release facility. The Huber facility can house 322 male and female inmates. Inmates confined at the Huber Facility are allowed out of the facility for the purpose of work, education, child or elder care and treatment purposes.

Summary of Audit Findings

When the on-site audit was completed, an exit meeting was held with the PREA Coordinator to discuss audit findings. It was noted that that seven standards were not in full compliance and recommended corrective action and documentation was required as follows:

- 115.13- Add cameras in laundry and food service storage area to eliminate blind-spots.
 - Complete 2018 annual PREA staffing review.
- 115.15- Blur or block camera view of toilets in the court holding cells.
- 115.22- Post investigation policy on its website.
- 115.41- Revise policy to ensure 30 day reassessments are completed for all inmates.
- 115.67- Revise policy and create form to document retaliation monitoring.
- 115.86- Revise policy and create form for sexual abuse incident reviews.
- 115.88- Post annual PREA Report on its website.

The auditor had been provided with extensive files prior to the audit for review. While at the facility, the auditor reviewed a sufficient sampling of records based on the size of the facility which included inmate case records, training records, investigative report, additional program information and documents. The auditor interviewed the required number of staff and inmates based on the population and all were knowledgeable of PREA. The facility was found to be very well managed and observed communication and interaction between staff and inmates were appropriate. The facility staff were cooperative and professional. The facility was clean and well maintained. The auditor explained the audit report process and what would follow the on-site audit.

Following the onsite audit visit, the PREA Coordinator provided the necessary documentation to satisfy the recommendations made during the on-site review. The auditor reviewed all supporting revisions, documents, and policy changes during the post audit review. Based on review of the additional documentation, all documentation reviewed during the pre-onsite audit and documentation reviewed during the onsite audit visit, as well as observations made during the on-site audit, and information gathered through interviews of inmates and staff, a determination of compliance to all PREA standards was made.

Number of Standards Exceeded: 1

115.17

Number of Standards Met: 44

115.11, 115.12, 115.13, 115.14, 115.15, 115.16, 115.18, 115.21, 115.22, 115.31, 115.32, 115.33, 115.34, 115.35, 115.41, 115.42, 115.43, 115.51, 115.52, 115.53, 115.54, 115.61, 115.62, 115.63, 115.64, 115.65, 115.66, 115.67, 115.68, 115.71, 115.72, 115.73, 115.76, 115.77, 115.78, 115.81, 115.82, 115.83, 115.86, 115.87, 115.88, 115.89, 115.401, 115.403.

Number of Standards Not Met: 0

Summary of Corrective Action (if any)

No additional corrective action required.

PREVENTION PLANNING

Standard 115.11: Zero tolerance of sexual abuse and sexual harassment; PREA coordinator

115.11 (a)

- Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment? Yes No
- Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment? Yes No

115.11 (b)

- Has the agency employed or designated an agency-wide PREA Coordinator? Yes No
- Is the PREA Coordinator position in the upper-level of the agency hierarchy? Yes No
- Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities? Yes No

115.11 (c)

- If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.) Yes No NA
- Does the PREA compliance manager have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.)
 Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD/Jail Division Policy and Procedure 361.12 – Inmate Sexual Assault: Prevention, Detection and Response and the Waukesha County Jail Organization Chart were reviewed and address the requirements of this standard. The written procedure mandate zero tolerance towards all forms of sexual abuse and sexual harassment and outline the approach to preventing, detecting, and responding to sexual abuse and sexual harassment. The procedure includes definitions of prohibited behaviors regarding sexual assault and sexual harassment of inmates with sanctions for those found to have participated in these prohibited behaviors.

WSD employs an upper-level, agency-wide PREA Coordinator who is a Lieutenant in the Jail Division. He is very knowledgeable and is proactive and committed to the implementation and enforcement of all PREA standards. Although WSD has only one facility it also established PREA Compliance Managers. All second shift supervisors are designated as Compliance Managers and serve as assistants and backup to the PREA Coordinator. Interviews with the PREA Coordinator and a PREA Compliance Manager stated they have sufficient time and authority to manage their PREA-related responsibilities.

The Policy identifies the Agency's and facility's strategies and responsibilities to detect, prevent and respond to sexual abuse and sexual harassment of inmates. During interviews with the selection of random staff and specialty staff, each confirmed receiving PREA training and was knowledgeable of their responsibilities. PREA training is provided to staff during initial training and annually as outlined in policy. Those individuals interviewed shared their understanding of the agency's zero tolerance toward sexual abuse and sexual harassment. Interviews with inmates indicated they felt safe, received PREA information and were aware of the zero tolerance policy and how to report sexual abuse, harassment and retaliation allegations. PREA posters and information describing the agency's zero tolerance toward sexual abuse and sexual harassment were observed by the auditor to be strategically located and accessible throughout the facility for staff and inmate awareness.

A review of the established policy and procedure, staff PREA training, inmate PREA education and information, interviews with staff and inmates, observation of bulletin boards, posters and

PREA material during the tour of the facility, the designation of an Agency- wide PREA Coordinator and PREA Compliance Managers confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.12: Contracting with other entities for the confinement of inmates

115.12 (a)

- If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.) Yes No NA

115.12 (b)

- Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates OR the response to 115.12(a)-1 is "NO".) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD does not contract with other private agencies or entities for the confinement of inmates, residents or detainees.

Standard 115.13: Supervision and monitoring

115.13 (a)

- Does the agency ensure that each facility has developed a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse? Yes No

- Does the agency ensure that each facility has documented a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration the generally accepted detention and correctional practices in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration any judicial findings of inadequacy in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration any findings of inadequacy from Federal investigative agencies in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration any findings of inadequacy from internal or external oversight bodies in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration all components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated) in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration the composition of the inmate population in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration the number and placement of supervisory staff in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration the institution programs occurring on a particular shift in calculating adequate staffing levels and determining the need for video monitoring? Yes No NA
- Does the agency ensure that each facility's staffing plan takes into consideration any applicable State or local laws, regulations, or standards in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration the prevalence of substantiated and unsubstantiated incidents of sexual abuse in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration any other relevant factors in calculating adequate staffing levels and determining the need for video monitoring? Yes No

115.13 (b)

- In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)
 Yes No NA

115.13 (c)

- In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section? Yes No
- In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies? Yes No
- In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan? Yes No

115.13 (d)

- Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment? Yes No
- Is this policy and practice implemented for night shifts as well as day shifts? Yes No
- Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

The Waukesha County Jail has developed and documented a staffing plan, that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates from sexual abuse and harassment and make its best efforts to comply on a regular basis with a staffing plan. The staffing plan uses the criteria found in Standard 115.13 (a), to include generally accepted correctional practices; any judicial findings of inadequacy; any findings of inadequacy from Federal investigative agencies; any findings of inadequacy from internal or external oversight bodies; all components of the institution's physical plant (including "blind spots" or areas where staff or inmates may be isolated); composition of the inmate population; number and placement of supervisory staff; institution programs occurring on a particular shift;

any applicable State or local laws, regulations, or standards; prevalence of substantiated and unsubstantiated incidents of sexual abuse; and other relevant factors to develop and review the staffing plan. The staffing plan was based on maximum design capacity of the facility.

The facility does not deviate from the staffing plan. All positions are filled on a daily basis. Per the Pre-audit questionnaire and interview with the Jail Administrator and review of staffing schedules; there were no deviations from the plan during the audit period.

WSD policies and procedures 356.14 – Inmate Headcounts and Housing Inspections, 356.80 - Facility Inspection and Patrol, 362.4 – Well Being and Housing checks as well as post orders were reviewed and document that staff are required to conduct check and observe inmates to ensure all inmate are safe and in custody. During the tour of the facility, blind-spots were noted in the laundry and kitchen dry food storage area. The facility ordered cameras to be installed in these locations. Email notification from the vendor confirmed the request was approved and is part of any existing RFP to upgrade the existing camera system.

Annual reviews of the staffing plan in collaboration with the PREA Coordinator have not been completed. During the post-audit phase of this audit, the PREA Coordinator submitted a 2018 review of the staffing plan. The review considered all relevant factors and follows generally accepted correctional practices. There have been no findings of inadequacy from any external or internal oversight bodies. All components of the facility's physical plant are considered and blind-spots are acknowledged and steps are taken to fix the blind spots. The composition of the inmate population and the prevalence of substantiated and unsubstantiated incidents of sexual abuse is also mentioned. The 2018 PREA review determines, and documents whether adjustments are needed to the staffing plan, the facility's deployment of video monitoring and other monitoring technologies, and the resources the facility has available to commit to ensure adherence to the staffing plan.

Intermediate and higher level supervisors per policy are required to conduct and document unannounced PREA rounds on all shifts to deter and identify staff sexual abuse and sexual harassment. The unannounced PREA rounds are documented in logs. The logs was reviewed by the auditor and found that rounds were being consistently completed and documented.

Based on reviews of policies, procedures, PREA unannounced logs, staffing plan, annual staffing plan review, staff and inmate interviews, observation while on site of staffing, site lines, additional camera installation confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.14: Youthful inmates

115.14 (a)

- Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates [inmates <18 years old].) Yes No NA

115.14 (b)

- In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates [inmates <18 years old].) Yes No NA
- In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates [inmates <18 years old].) Yes No NA

115.14 (c)

- Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates [inmates <18 years old].) Yes No NA
- Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates [inmates <18 years old].) Yes No NA
- Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates [inmates <18 years old].) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 362.8 - Juvenile Inmate Housing and Management was reviewed and address the requirement of this standard. Per policy; Juvenile inmates will not be placed in a housing unit in which the juvenile inmate will be in sight, sound or physical contact with any adult inmate through the use of a shared dayroom or other common space, shower area or sleeping quarters. For the purpose of this policy, juvenile refers to any person under the age of 18 who is incarcerated at the Waukesha County Jail. Best efforts will be made to avoid placing juvenile inmates in isolation to comply with this provision. Absent exigent circumstances, juvenile inmates will not be denied recreation and any legally required special education services to comply with this provision. In areas outside of the housing units, sight/sound separation must be maintained or direct staff supervision must be provided. Direct staff supervision indicates a correctional officer is in the same room with, and within reasonable hearing distance of, the juvenile inmate.

There were three (3) juvenile inmates at the Waukesha County jail during the on-site audit. Two (2) juvenile inmates were interviewed. All stated they felt safe and do not have sight,

sound or physical contact with adult inmates. Program, education and recreation services and programs were available.

A review of policy, procedures, observation while on-site and interviews with staff and inmates confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.15: Limits to cross-gender viewing and searches

115.15 (a)

- Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?
 Yes No

115.15 (b)

- Does the facility always refrain from conducting cross-gender pat-down searches of female inmates in non-exigent circumstances? (N/A here for facilities with less than 50 inmates before August 20,2017.) Yes No NA
- Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A here for facilities with less than 50 inmates before August 20, 2017.) Yes No NA

115.15 (c)

- Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches? Yes No
- Does the facility document all cross-gender pat-down searches of female inmates?
 Yes No

115.15 (d)

- Does the facility implement a policy and practice that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks? Yes No
- Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit? Yes No

115.15 (e)

- Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status? Yes No

- If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner? Yes No

115.15 (f)

- Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs? Yes No
- Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policies and procedures 356.10 - Strip Search and Clothing Exchange, 362.9 – Transgender Inmates; Housing and Management and the training curriculum and staff training acknowledgements reviewed and address the requirements of this standard. Staff and inmate interviews and direct observation determined the facility does not allow cross-gender viewing and searches. The Waukesha County Jail does not conduct cross-gender strip searches or cross-gender visual body cavity searches, and staff is prohibited and does not search transgender or intersex inmates to determine inmates' genital status. Per the PAQ, in the past 12 months there were no cross-gender strip searches or visual body cavity searches conducted and that there was no cross-gender pat down searches of female inmates conducted.

Based on interviews with staff and inmates and observation it was determined inmates are able to shower, perform bodily functions, and change clothes without non-medical staff observing their genitalia or buttocks, except in exigent circumstances or when such viewing is incidental to routine cell checks. It was noted the cameras in six of the court holding cells have views of the toilet. During the post-audit phase of this audit, the Agency submitted a request to have the camera view of the toilets blurred or blocked. Email notification from the vendor confirmed the request was approved and is part of any existing RFP to upgrade the existing camera system.

Review of training records and lesson plans demonstrated staff had been trained on how to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent

with security needs. Interviews of staff demonstrated staff was trained and knowledgeable of the proper procedures to conduct pat down searches of transgender and intersex inmates.

Per policy; staff of the opposite gender is required to announce their presence when entering an inmate housing unit. Interviews with staff and inmates confirm this is a regular practice.

A review of policies, procedures, documentation, training records and lesson plans, camera modification and interviews with staff and inmates confirms, the Waukesha County Jail is compliant with this standard.

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

115.16 (a)

- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are deaf or hard of hearing? Yes No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are blind or have low vision? Yes No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have intellectual disabilities? Yes No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have psychiatric disabilities? Yes No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have speech disabilities? Yes No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Other (if "other," please explain in overall determination notes)? Yes No
- Do such steps include, when necessary, ensuring effective communication with inmates who are deaf or hard of hearing? Yes No

- Do such steps include, when necessary, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary? Yes No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have intellectual disabilities? Yes No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills? Yes No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Are blind or have low vision? Yes No

115.16 (b)

- Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient? Yes No
- Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary? Yes No

115.16 (c)

- Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure and the inmate PREA education material were reviewed and address the requirements of this standard. The policy ensure inmates with disabilities and who are limited English proficient (LEP) have access to PREA information and programs. The Waukesha County Jail has taken appropriate steps to ensure that inmates who are limited English proficient or disabled have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect and respond to sexual abuse and sexual harassment. Per policy; Inmate interpreters, inmate sign readers or other types of inmate

assistance will not be utilized except in limited circumstances where an extended delay in obtaining an effective interpreter would compromise the inmate's safety, the performance of first-response duties or the investigation of the inmate's allegations.

PREA information, brochures and posters are available in English and Spanish. A Kiosk system available to inmates in the housing pods has PREA information available in multiple languages. The county maintains a list of qualified translator and the facility has access to a phone service to provide foreign language translation. Informational and educational materials for inmates with physical and mental disabilities are provided in ways that will enable the inmates to understand the PREA zero tolerance policy, related material and how to report allegations of sexual abuse or sexual harassment. Inmates with a mental disability, are afforded extra time by staff to explain and ensure they understand the PREA basics, to include definitions and reporting information. There were no LEP or disabled inmates at the facility during the on-site audit.

A review of policy, procedure, PREA brochures and posters, resources available and supporting documentation, as well as staff and inmate interviews confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.17: Hiring and promotion decisions

115.17 (a)

- Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)? Yes No
- Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse? Yes No
- Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the question immediately above? Yes No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)? Yes No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse? Yes No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the question immediately above? Yes No

115.17 (b)

- Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates? Yes No

115.17 (c)

- Before hiring new employees, who may have contact with inmates, does the agency: perform a criminal background records check? Yes No
- Before hiring new employees, who may have contact with inmates, does the agency: consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse? Yes No

115.17 (d)

- Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates? Yes No

115.17 (e)

- Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees? Yes No

115.17 (f)

- Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions? Yes No
- Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees? Yes No
- Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct? Yes No

115.17 (g)

- Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination? Yes No

115.17 (h)

- Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policies and procedures 361.12 and 350.16 – Security Clearance for Contract Staff and Visitors were reviewed and address the requirements of this standard. These policies and procedures ensure staff and contractors are not hired or promoted who have engaged in sexual abuse in a prison, jail, lockup, community confinement, juvenile, or other penal type institutions; or who have been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or been civilly or administratively adjudicated to have engaged in sexual activity facilitated by force, overt or implied threats of force, or coercion. The Waukesha County Personnel Department has oversight of the hiring procedures and delegates certain responsibilities and duties to the WSD.

WSD performs a very extensive criminal history and background check before it hires any new employees. WSD utilizes multiple systems to check criminal backgrounds that would include state and federal records checks. Employment check of all prior employers are conducted which could include a site visit to review their personnel files. A home visit with the applicant is required along with contacting their neighbors. Applicants are required to pass medical, psychological and polygraph testing. The agency also requires staff to self-report misconduct.

The policies require background checks for staff and contractors prior to hiring or enlisting services for a contractor and again every five years for employees and every two years for contractors. All employees are fingerprinted.

All applicants and employees who may have contact with inmates are directly asked about previous sexual misconduct as described in PREA Standard 115.17 (a) in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of reviews of current employees. The auditor reviewed the on-line application system. Material omissions regarding sexual misconduct, or the provision of materially false information, shall be grounds for termination. WSD will provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee

upon receiving a request from an institutional employer for whom such employee has applied to work with a signed release of information request. .

A review of policies, procedures, supporting documentation, personnel files, interviews with the Human Resource staff, Jail Administrator and Investigator and the extensive and thorough background checks confirms, the Waukesha County Jail exceeds the requirement of standard.

Standard 115.18: Upgrades to facilities and technologies

115.18 (a)

- If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)
 Yes No NA

115.18 (b)

- If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)
 Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

There has been no substantial expansion or modification at the Waukesha County jail during the last three years. Cameras and video monitoring equipment were upgraded and/or added in the past 12 months to enhance the facility's ability to protect inmates from sexual abuse. The facility has 305 internal cameras and 15 external cameras. WSD currently has a RFP in progress to upgrade the camera system.

Based on the tour of the facility and interviews with the Jail Administrator and PREA Coordinator, the Waukesha County Jail is compliant with this standard.

RESPONSIVE PLANNING

Standard 115.21: Evidence protocol and forensic medical examinations

115.21 (a)

- If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)
 Yes No NA

115.21 (b)

- Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.) Yes No NA
- Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.) Yes No NA

115.21 (c)

- Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate? Yes No
- Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible? Yes No
- If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)? Yes No
- Has the agency documented its efforts to provide SAFEs or SANEs? Yes No

115.21 (d)

- Does the agency attempt to make available to the victim a victim advocate from a rape crisis center? Yes No
- If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? Yes No

- Has the agency documented its efforts to secure services from rape crisis centers?
 Yes No

115.21 (e)

- As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews? Yes No
- As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals? Yes No

115.21 (f)

- If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating entity follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.) Yes No NA

115.21 (g)

- Auditor is not required to audit this provision.

115.21 (h)

- If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? [N/A if agency attempts to make a victim advocate from a rape crisis center available to victims per 115.21(d) above.] Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12 and 11.01 Collection and Preservation of Evidence/Property were reviewed and address the requirement of this standard. The policy outlines evidence protocols for administrative proceedings and criminal prosecutions; requirements for forensic medical exams; and when requested by the victim, a victim advocate to accompany and support the victim through the forensic examination, investigatory interviews, emotional support, crisis intervention, information, and referrals. There is a uniform evidence protocol that maximizes the potential for usable physical evidence for administrative and criminal prosecutions. Staff interviewed were knowledgeable of the evidence protocols and could explain the protocol for obtaining useable evidence when an inmate alleged sexual abuse. The

auditor conducted interview with 2 WSD investigators, who had a good understanding of the investigative procedures, responsibilities and evidence protocols.

Waukesha County with the leadership of ProHealth Care, Waukesha Memorial Hospital, The Women's Center, Waukesha County Sherriff's Department, Waukesha County District Attorney's Office and The C.A.R.E. Center came together to develop Waukesha County's Sexual Assault Response Team (SART). The primary objectives of the SART are; to improve the provision of services to survivors of sexual assault in Waukesha County by providing sensitive, efficient, interdisciplinary services, and to ensure accurate evidence collection to promote the apprehension and prosecution of perpetrators. Waukesha Memorial Hospital provides SANE services when necessary. They would provide a forensic exam if applicable and provide education and follow-up treatment to the inmate. The auditor contacted a charge nurse at the Waukesha Memorial Hospital, during the on-site audit, and verified that they provide services to Waukesha County Jail inmates. Waukesha County Jail makes available to the victim a victim advocate from a rape crisis center. The Women's Center provides support, reassurance, crisis intervention, safety planning, and information to the survivor during the medical investigative and judicial process. In the past 12 months there were no requests for victim advocacy services.

A review of policies, procedures and interviews with the Jail Administrator, PREA Coordinator, Investigator and a SANE provider confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.22: Policies to ensure referrals of allegations for investigations

115.22 (a)

- Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse? Yes No
- Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment? Yes No

115.22 (b)

- Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior? Yes No
- Has the agency published such policy on its website or, if it does not have one, made the policy available through other means? Yes No
- Does the agency document all such referrals? Yes No
-

115.22 (c)

- If a separate entity is responsible for conducting criminal investigations, does such publication describe the responsibilities of both the agency and the investigating entity? [N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).] Yes No NA

115.22 (d)

- Auditor is not required to audit this provision.

115.22 (e)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12, 11.01, the Waukesha County Guideline for Responding to Sexual Assault and the WSD website were reviewed and address the requirements of this standard. The policies require an administrative or criminal investigation be completed for all allegations of sexual abuse and sexual harassment, that all allegations of sexual abuse or sexual harassment are referred for investigation to the appropriate authority.

All sexual abuse incidents are turned over to the Waukesha County Sheriff's Department and investigated by personnel who are trained in sexual abuse investigations in a correctional setting. Initial review of the WSD website revealed the agency investigation policy was not posted. During the post audit phase, WSD posted its investigation policy on its website which was reviewed and confirmed by the auditor.

There were fifteen allegations of sexual abuse/harassment reported in the past 12 months and all were investigated and completed.

A review of policies, procedures, WSD website and interviews with the Jail Administrator, PREA Coordinator and Investigator, confirms an administrative or criminal investigation are conducted for all allegations of sexual abuse and sexual harassment and the Waukesha County Jail is compliant with this standard.

TRAINING AND EDUCATION

Standard 115.31: Employee training

115.31 (a)

- Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment? Yes No
- Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures? Yes No
- Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment Yes No
- Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment? Yes No
- Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement? Yes No
- Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims? Yes No
- Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse? Yes No
- Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates? Yes No
- Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates? Yes No
- Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities? Yes No

115.31 (b)

- Is such training tailored to the gender of the inmates at the employee's facility? Yes No
- Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa? Yes No

115.31 (c)

- Have all current employees who may have contact with inmates received such training?
 Yes No
- Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures? Yes No
- In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies? Yes No

115.31 (d)

- Does the agency document, through employee signature or electronic verification, that employees understand the training they have received? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD Policy and Procedure 361.12, PREA Training Curriculum and PREA Staff training acknowledgments were reviewed and address the requirements of this standard. The training curriculum demonstrated the training covered: zero-tolerance policy for sexual abuse and sexual harassment; how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures; inmate's right to be free from sexual abuse and sexual harassment; the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment; the dynamics of sexual abuse and sexual harassment in confinement; the common reactions of sexual abuse and sexual harassment victims; how to detect and respond to signs of threatened and actual sexual abuse; how to avoid inappropriate relationships with inmates; how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities; and transgender and intersex searches.

WSD staff receives initial PREA training as well as PREA training annually through scheduled mandatory training. The PREA training curriculum was reviewed and verified that the training provided to employees is very comprehensive. Employees sign an acknowledgement form that they have received and understood the PREA training they received. Staff interviewed were versed in the zero tolerance policy; their responsibilities in reporting sexual abuse, sexual harassment, and staff negligence; first responder duties; evidence preservation, and transgender and intersex searches.

A review of policy, procedures, staff training curriculum, training rosters, signed training acknowledgments and interviews with staff confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.32: Volunteer and contractor training

115.32 (a)

- Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures? Yes No

115.32 (b)

- Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)? Yes No

115.32 (c)

- Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD Policies and Procedures 361.12, 350.16 – Security Clearance for Contract Staff and Visitors, PREA training curriculum and signed training acknowledgments were reviewed and address the requirement of this standard. The curriculum was reviewed and found to be comprehensive with the objectives of the training ensuring 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. Interviews with contractors and a volunteer demonstrated their knowledge of PREA and responsibilities, and the agency zero tolerance policy. Some of the contact providers also provide PREA training in addition to the training provided by WSD. The auditor reviewed training records and signed acknowledgments that contractors and volunteers received and understand the PREA training.

A review of policies, procedures, training curriculums and supporting documentation and interviews with contractors and volunteers confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.33: Inmate education

115.33 (a)

- During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment? Yes No
- During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment? Yes No

115.33 (b)

- Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment? Yes No
- Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents? Yes No
- Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents? Yes No

115.33 (c)

- Have all inmates received such education? Yes No
- Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility? Yes No

115.33 (d)

- Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient? Yes No
- Does the agency provide inmate education in formats accessible to all inmates including those who are deaf? Yes No
- Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired? Yes No

- Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled? Yes No
- Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills? Yes No

115.33 (e)

- Does the agency maintain documentation of inmate participation in these education sessions? Yes No

115.33 (f)

- In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD Policy and Procedures 361.12, 351.1 and 354.2, PREA Education for Inmates Training Outline, PREA Inmate Sexual Abuse Pamphlet, Inmate Rules, Regulations and Information Handbook, PREA Brochures and signed inmate acknowledgement forms were reviewed and address the requirements of this standard. Policies require that all inmates receive PREA information upon arrival and PREA education within 30 days of intake. During intake, inmates are provided information through a PREA pamphlet (available in English and Spanish) that explains the facility's zero tolerance policy regarding sexual abuse and sexual harassment; and how to report such incidents while at the Jail. The staff covers basic PREA information verbally. During orientation, they receive additional information which expands on the previous information provided. Inmates acknowledge receiving the PREA information in writing. This same information is also available to inmates on kiosks in the housing pods. PREA information is continuously and readily available or visible to inmates. PREA posters and brochures are posted throughout the facility in formats accessible to all inmates. Information on the posters and in the handouts, include: zero tolerance policy; inmate rights; how to report; what to expect after you report; and how to protect yourself against sexual assault. Policies requires information be provided in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills.

During interviews, inmates acknowledged the information being provided upon arrival and orientation, and has seen posters displayed throughout the facility. The inmates interviewed knew the zero-tolerance policy; how and who to report to; and that they have the right to be

free from retaliation for reporting such incidents. The auditor reviewed signed inmate training acknowledgements while onsite which demonstrated inmates received PREA information upon arrival, and acknowledged through signature they have received the education manual, and understood the training. The facility reported that all 3,369 inmates admitted during the past 12 months (whose length of stay in the facility was for 30 days or more) received PREA education.

A review of policies, procedures and documentation, observation during the intake process, pamphlets and posters and interviews with staff and inmates confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.34: Specialized training: Investigations

115.34 (a)

- In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).) Yes No NA

115.34 (b)

- Does this specialized training include techniques for interviewing sexual abuse victims? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] Yes No NA
- Does this specialized training include proper use of Miranda and Garrity warnings? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] Yes No NA
- Does this specialized training include sexual abuse evidence collection in confinement settings? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] Yes No NA
- Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] Yes No NA

115.34 (c)

- Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] Yes No NA

115.34 (d)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12 and 11.01, PREA Specialized Investigation Training lesson plan, PREA basic training records and staff signed acknowledgement were reviewed and address the requirements of this standard. WSD investigators receive specialized training in addition to the general education provided to all employees. All allegations of sexual abuse/harassment received at the Waukesha County jail are turned over to the Waukesha County Sheriff's Department and investigated by personnel who are trained in sexual abuse investigations in a correctional setting. WSD has 2 Sensitive Crimes Investigator and 19 Detectives that investigate allegations of sexual abuse.

Interviews with two investigators/detectives disclosed that they have attended dozens of specialized trainings that covered all requirements of the standard to include: techniques for interviewing sexual abuse victims; proper use of Miranda and Garrity warnings; sexual abuse evidence collection in confinement settings; and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. Documentation was reviewed that indicates all investigators have received both the general and specialized investigation training.

Interviews with an investigator, review of policies, training lesson plan and records confirms, the Waukesha County Jail is in compliance with this standard.

Standard 115.35: Specialized training: Medical and mental health care

115.35 (a)

- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? Yes No
- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? Yes No

- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? Yes No
- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? Yes No

115.35 (b)

- If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams.) Yes No NA

115.35 (c)

- Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? Yes No

115.35 (d)

- Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? Yes No
- Do medical and mental health care practitioners contracted by and volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policies and procedures 361.12, 350.16 and Correct Care Solutions policy and procedure B-05 Response to Sexual Abuse were reviewed and address the requirements of this standard. The policy and procedure requires all full time and part-time medical and mental health care practitioners receive the same training every employee receives on the agency zero tolerance policy. The Waukesha County Jail contracts for medical/mental health services with Correct Care Solutions. The contract provider provides additional PREA training to all medical/mental health practitioners to include; how to detect and assess signs of sexual abuse and sexual harassment, how to preserve physical evidence of sexual abuse, how to respond effectively and professionally to victims of sexual abuse and sexual harassment, and to whom to report allegations or suspicions of sexual abuse and sexual harassment. The medical staff

at this facility does not conduct forensic exams; inmates are transported to a local hospital that has a SANE program.

The auditor conducted interviews with medical and mental health practitioners during the site visit. These medical practitioners told the auditor that in addition to PREA training for all Contractors provided by the Waukesha County Jail, they are required to take additional annual training provided through their employer. The training is documented

A review of policies and procedures, lesson plan, training records, documents and interviews with medical and mental health staff confirms, the Waukesha County Jail is compliant with this standard.

SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS

Standard 115.41: Screening for risk of victimization and abusiveness

115.41 (a)

- Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates? Yes No
- Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates? Yes No

115.41 (b)

- Do intake screenings ordinarily take place within 72 hours of arrival at the facility?
 Yes No

115.41 (c)

- Are all PREA screening assessments conducted using an objective screening instrument?
 Yes No

115.41 (d)

- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate? Yes No

- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10) Whether the inmate is detained solely for civil immigration purposes? Yes No

115.41 (e)

- In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior acts of sexual abuse? Yes No
- In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior convictions for violent offenses? Yes No
- In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: history of prior institutional violence or sexual abuse? Yes No

115.41 (f)

- Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening? Yes No

115.41 (g)

- Does the facility reassess an inmate's risk level when warranted due to a: Referral?
 Yes No
- Does the facility reassess an inmate's risk level when warranted due to a: Request?
 Yes No
- Does the facility reassess an inmate's risk level when warranted due to a: Incident of sexual abuse? Yes No
- Does the facility reassess an inmate's risk level when warranted due to a: Receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?
 Yes No

115.41 (h)

- Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section? Yes No

115.41 (i)

- Has the agency implemented 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? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policies and procedures 361.12, 351.1 Intake Process; County jail, 351.12 PREA Screening Form, 354.2 Intake Process; Huber Facility and 362.2 Classification Determination: County Jail were reviewed and address the requirements of this standard. The policies require the facility to conduct a screening for risk of sexual victimization and abusiveness at intake; a follow-up screening for risk of sexual victimization and abusiveness within a set time period, not to exceed 30 days from the inmate's arrival at the jail; and reassesses inmate's risk level again when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.

The Waukesha County Jail uses a standardized screening tool for initial assessments. The auditor reviewed a sample of initial assessments and 30 day reassessments while on-site. The

initial screenings are completed immediately upon arrival. Classification staff reassesses the inmate's risk of victimization or abusiveness which is based on any new information that may have arrived since the inmate's arrival, and they ask the inmate if they have been sexually threatened or assaulted and if they feel at risk of sexual abuse. An inmate's risk level is also reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmates risk of sexual victimization or abusiveness. The screening instrument is objective in determining if the inmate is at risk for victimization or abusiveness. During discussions with the PREA Coordinator and classification staff it was noted that not all inmates depending on their classification status are reassessed again within 30 days. The PREA Coordinator revised the classification policy and procedure to ensure all inmates are reassessed within 30 day of arrival at the Jail or Huber facility.

The auditor interviewed intake staff and reviewed inmate screening forms. All the criteria referenced in the standard are on the current form. Staff interviews confirmed appropriate controls have been implemented to ensure that sensitive information is not released and exploited by staff or other inmates. Inmates are not disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked.

Based on the review of the revised policies, procedures and documentation as well as staff and inmate interviews, Waukesha County Jail is compliant with this standard.

Standard 115.42: Use of screening information

115.42 (a)

- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments? Yes No
- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments? Yes No
- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments? Yes No
- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments? Yes No
- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments? Yes No

115.42 (b)

- Does the agency make individualized determinations about how to ensure the safety of each inmate? Yes No

115.42 (c)

- When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)? Yes No
- When making housing or other program assignments for transgender or intersex inmates, does the agency consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems? Yes No

115.42 (d)

- Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate? Yes No

115.42 (e)

- Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments? Yes No

115.42 (f)

- Are transgender and intersex inmates given the opportunity to shower separately from other inmates? Yes No

115.42 (g)

- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? Yes No
- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? Yes No
- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing:

intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD Policies and procedures 361.12, 351.11, 354.2, 362.2 and 362.9 were reviewed and address the requirements of this standard. The procedures outline the use of the screening information, to include using the risk screening to determine housing, bed, treatment 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; and making individualized determinations about how to ensure the safety of each inmate. These housing and program assignments are made on a case-by-case basis.

There are no dedicated housing units based on sexual identity at the Waukesha County Jail. Transgender and intersex inmates are given the opportunity to shower separately from other inmates. The procedures state the agency shall consider on a case-by-case basis where to assign a transgender or intersex inmate, housing and programming assignments, based on the inmate's health and safety, the inmate's own views with respect to his or her own safety, and whether the placement would present management or security problems. Additionally, the procedure requires placement and program assignments to be reviewed twice a year for each transgender or intersex inmate. There were no transgender or intersex inmates at the jail during the on-site audit.

The review of policies, procedures, supporting documentation and interviews with the Jail Administrator and PREA Coordinator confirm the Waukesha County Jail meets the requirement of this standard.

Standard 115.43: Protective Custody

115.43 (a)

- Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers? Yes No
- If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment? Yes No

115.43 (b)

- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible? Yes No
- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible? Yes No
- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible? Yes No
- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible? Yes No
- If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The opportunities that have been limited? Yes No
- If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The duration of the limitation? Yes No
- If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The reasons for such limitations? Yes No

115.43 (c)

- Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged? Yes No
- Does such an assignment not ordinarily exceed a period of 30 days? Yes No

115.43 (d)

- If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety? Yes No
- If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged? Yes No

115.43 (e)

- In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 362.2 was reviewed and addresses the requirement of this standard. Inmates at high risk for sexual victimization are not placed in the involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. If an involuntary segregated housing placement is made the placement is reviewed on a weekly basis until other housing can be found. Segregated housing assignments will not exceed a period of thirty (30) days. Inmates placed in protective custody shall have access to program privileges, education, and work opportunities to the extent possible. If restrictions occur, the facility documents the restrictions, duration of the limitation, and reasons for the limitation. There were no inmates assigned to involuntary segregation due to being at a high risk of sexual victimization in the past 12 months.

The review of policy, procedures and support documentation and interviews with the Jail Administrator, PREA Coordinator and segregated housing staff confirm the Waukesha County Jail is compliant with this standard.

REPORTING

Standard 115.51: Inmate reporting

115.51 (a)

- Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment? Yes No
- Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment? Yes No
- Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents? Yes No

115.51 (b)

- Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency? Yes No

- Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials? Yes No
- Does that private entity or office allow the inmate to remain anonymous upon request? Yes No
- Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? Yes No

115.51 (c)

- Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties? Yes No
- Does staff promptly document any verbal reports of sexual abuse and sexual harassment? Yes No

115.51 (d)

- Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12, PREA brochures and posters, the Inmate Handbook, and the WSD website were reviewed and address the requirements of this standard. The inmate Handbook, PREA brochures, and multiple posters displayed throughout the facility provide specific internal and external ways for inmates to report sexual abuse, sexual harassment and retaliation by other inmates or staff. The inmates can utilize the kiosk system located in the housing pods to report allegation and submit grievances. Interviews with inmates verified they were aware of multiple internal and external ways to report incidents of sexual abuse, sexual harassment and retaliation. Inmates can report verbally and in writing to staff; through a third party, by submitting a grievance, by calling the hotline or to an outside advocacy group. During the tour, the PREA reporting phone numbers were checked and found to be in working order.

Waukesha County Jail employees may report Sexual Abuse or Sexual Harassment to the duty supervisor or any upper management staff. Staff members accept reports made verbally, in writing, anonymously and from third parties, and are required to promptly document any verbal reports and notify the duty supervisor.

A review of the policy and procedure and PREA information provided to inmates, WSD website, observation during the tour of the jail and interviews with staff and inmates confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.52: Exhaustion of administrative remedies

115.52 (a)

- Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse. Yes No NA

115.52 (b)

- Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.) Yes No NA
- Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.) Yes No NA

115.52 (c)

- Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.) Yes No NA
- Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.) Yes No NA

115.52 (d)

- Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.) Yes No NA
- If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.) Yes No NA

- At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.) Yes No NA

115.52 (e)

- Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)
 Yes No NA
- Are those third parties also permitted to file such requests on behalf of inmates? (If a third-party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.) Yes No NA
- If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)
 Yes No NA

115.52 (f)

- Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.) Yes No NA
- After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)
 Yes No NA
- After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.) Yes No NA
- After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)
 Yes No NA
- Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.) Yes No NA
- Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.) Yes No NA
- Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.) Yes No NA

115.52 (g)

- If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policies and procedures 361.12, 353.4 - Inmate Grievances and the Inmate Rules, Regulations and information Handbook were reviewed and address the requirements of this standard. Waukesha County Jail does not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse; does not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse; ensures that an inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and such grievance is not referred to a staff member who is the subject of the complaint; and issues a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance.

In the past 12 months there were nine (9) grievances filed and all nine (9) grievances received a final decision within the 90 days. There were zero (0) number of imminent risk grievances and zero (0) emergency grievances. Additionally, no extensions were required by the jail.

Third parties, including other inmates, staff members, family members, attorneys, and outside advocates, are permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of inmates. The agency may discipline an inmate for filing a grievance related to alleged sexual abuse only where the facility demonstrates that the inmate filed the grievance in bad faith. Inmates are informed of the grievance procedures in the Inmate Handbook and during orientation.

A review of policies, procedures, grievance process, grievances, supporting documentation, Inmate Handbook and interviews with staff and inmates confirms the Waukesha County Jail is compliant with this standard.

Standard 115.53: Inmate access to outside confidential support services

115.53 (a)

- Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations? Yes No
- Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies? Yes No
- Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible? Yes No

115.53 (b)

- Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws? Yes No

115.53 (c)

- Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse? Yes No
- Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12 and the Waukesha County Guideline for Responding to Sexual Assault were reviewed and address the requirements of this standard. The procedure states Inmates shall be provided access to outside victim advocates for emotional support services related to sexual abuse.

The Women's Center provides support, reassurance, crisis intervention, safety planning, and information to the survivor during the medical investigative and judicial process. The Women's

Center is part of the Waukesha County's Sexual Assault Response Team (SART) which provides county wide services including the Waukesha County Jail. The facility also detains persons solely for civil immigration purposes and provides mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies. Interviews with inmates found most inmates were aware of the confidential support services provided.

A review of policy, procedure, Guideline for Responding to Sexual Assault, PREA posters and interviews with staff and inmates confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.54: Third-party reporting

115.54 (a)

- Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment? Yes No
- Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policies and procedures 361.12, 353.4, the WSD website and PREA posters were reviewed and address the requirements of this standard. The procedure establishes a method to receive third-party reports of sexual abuse and sexual harassment and to distribute publicly, information on how to report sexual abuse and sexual harassment on behalf of an inmate. The Agency website outlines methods to report sexual abuse and sexual harassment on behalf of an inmate. Posters on display at the facility provide the visitors, staff and inmates with third party reporting options.

In addition, third parties, including other inmates, staff members, family members, attorneys and outside advocates are permitted to assist inmates in filing grievances relating to allegations of sexual abuse and will also be permitted to file grievances/complaints on behalf of inmates. Interviews with inmates demonstrated they knew how third-party reporting could be accomplished.

A review of policies and procedures, PREA posters, the WSD website, as well as interviews with staff and inmates confirms, the Waukesha County Jail is compliant with this standard.

OFFICIAL RESPONSE FOLLOWING AN INMATE REPORT

Standard 115.61: Staff and agency reporting duties

115.61 (a)

- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency? Yes No
- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment? Yes No
- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation? Yes No

115.61 (b)

- Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions? Yes No

115.61 (c)

- Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section? Yes No
- Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services? Yes No

115.61 (d)

- If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws? Yes No

115.61 (e)

- Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12 and the PREA training curriculum were reviewed and address the requirements of this standard. The procedure require all staff to report immediately any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment; requires all staff to report immediately any retaliation against inmates or staff who reported such an incident; requires all staff to report immediately any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation; and for staff not to reveal any information related to a sexual abuse report to anyone other than to the extent necessary. If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws.

Interviews with staff verified they were aware they must immediately report to the duty supervisor any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment; and that they are prohibited from revealing information related to a sexual abuse report other than to people authorized to discuss the report. The contracted health care provider (Correct Care Solutions) also requires its medical and mental health practitioners to report according to WSD policy/procedure. Healthcare staff are required to reveal the limits of confidentiality at the initiation of services. All allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, are reported to Waukesha County Sheriff's Office and investigated.

A review of policy, procedure, documentation and the training curriculum and interviews with staff confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.62: Agency protection duties

115.62 (a)

- When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)

- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12 and the PREA training curriculum were reviewed and address the requirements of this standard. Policies and training require staff to take immediate action to protect any inmate they learn is subject to substantial risk of imminent sexual abuse. Interviews with staff demonstrate they know the steps to take to protect an inmate subject to risk of imminent sexual abuse. When an allegation is received that an inmate is subject to a substantial risk of imminent sexual abuse, the initial response will be immediate as it relates to corrective action for the inmate's safety. Per interview with the Jail Administrator and staff, immediate corrective action includes separation; monitoring; changing the housing and/or work assignments; and placing the abuser in another housing area or requesting a transfer. No inmates reported being at substantial risk of imminent sexual abuse, during the past 12 months.

A review of the policy and procedure, the PREA training curriculum and interviews with the Jail Administrator and staff confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.63: Reporting to other confinement facilities

115.63 (a)

- Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred? Yes No

115.63 (b)

- Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation? Yes No

115.63 (c)

- Does the agency document that it has provided such notification? Yes No

115.63 (d)

- Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12 was reviewed and addresses the requirements of this standard. Per policy; upon receiving an allegation an inmate was sexually abused while confined to another facility, the jail administrator or designee will notify the head of the facility or appropriate office of the agency where the alleged abuse occurred. This notification will be provided as soon as possible but no more than 72 hours after receiving the report and this notification will be documented as an addendum to the initial report.

The interviews with the Jail Administrator and PREA Coordinator confirmed their knowledge of the procedure and their responsibility to report and investigate any allegations that may have occurred. There were three (3) allegations reported that an inmate was sexually abused while confined at another institution or by the arresting agency in the past 12 months. Timely notification was made per policy. Additionally, the Waukesha County Jail did not receive information from another facility that an inmate alleged sexual abuse while housed at The Waukesha County Jail in the past 12 months.

A review of the policy and procedure, notification documentation and interviews with the Jail Administrator and PREA Coordinator confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.64: Staff first responder duties

115.64 (a)

- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?
 Yes No
- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence? Yes No
- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence? Yes No

- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence? Yes No

115.64 (b)

- If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12, the PREA training lesson plans and records were reviewed and address the requirements of this standard. The policy and training directs staff how to respond to an allegation of sexual abuse for both security and non-security staff. Random interviews with security and non-security staff confirmed they were very knowledgeable about what to do upon learning an inmate was sexually abused, to include separating the alleged victim and abuser and to preserving and protecting the crime scene. If the abuse occurred within a time period that still allows for the collection of physical evidence, staff would request that the alleged victim and alleged abuser not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing their teeth, changing clothes, urinating, defecating, smoking, drinking or eating. The Waukesha County Jail did not have any instances in which any first responder duties had to be implemented, during the past 12 months.

A review of the policy and procedure, PREA lesson plan and interviews with staff confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.65: Coordinated response

115.65 (a)

- Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

The Waukesha County Jail has a written plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators and facility leadership. The B-05 Response to Sexual Abuse and the Waukesha County Guideline for Responding to Sexual Assault are comprehensive in describing required actions by security and specialized staff.

Interviews with staff (Jail Administrator, PREA Coordinator, Shift Supervisors, first responders, medical/mental health providers and investigators) confirmed staff members were knowledgeable about the Response plan and their specific responsibilities as they relate to responding to sexual abuse Investigations, the coordinated duties and collaborative responsibilities.

A review of The Waukesha County Jail Coordinated Response Plan and interviews with staff confirms, the Waukesha County Jail is compliant with this standard.

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

115.66 (a)

- Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted? Yes No

115.66 (b)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD does not enter into any collective bargaining agreement or other agreement. WSD has the ability to protect inmates from contact with abusers. WSD policies and procedures 1.04 Code of Conduct and 4.02 Disciplinary Procedures provides for the removable of alleged staff sexual abusers from contact with any inmate or other appropriate discipline.

A review of the policies, procedures and interview with the Sheriff and Jail Administrator confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.67: Agency protection against retaliation

115.67 (a)

- Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff? Yes No
- Has the agency designated which staff members or departments are charged with monitoring retaliation? Yes No

115.67 (b)

- Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations? Yes No

115.67 (c)

- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff? Yes No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff? Yes No

- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation? Yes No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports? Yes No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes? Yes No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes? Yes No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff? Yes No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff? Yes No
- Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need? Yes No

115.67 (d)

- In the case of inmates, does such monitoring also include periodic status checks?
 Yes No

115.67 (e)

- If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?
 Yes No

115.67 (f)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12 was reviewed and addresses the requirements of this standard. Per policy; For at least 90 days following a report of sexual harassment or abuse, the jail administration (for staff) and classification unit (for inmates) will monitor the conduct and treatment of staff or inmates who reported the incident, and of inmates who were reported to have suffered sexual harassment or abuse, to see if there are changes that may suggest possible retaliation by inmates or staff, and will report and act promptly to remedy any such retaliation. Monitoring will include periodic status checks. Other items monitored will include: a) Inmate disciplinary reports. b) Inmate housing changes. c) Inmate program changes. d) Inmate event logs. e) Staff performance. If any other individual who cooperates with the investigation expresses a fear of retaliation, the jail administration will take appropriate measures to protect that individual against retaliation.

During interviews with staff responsible for monitoring retaliation it was noted that there was no documentation of the monitoring effort. During the post audit phase of this audit, the PREA Coordinator created a Retaliation Monitoring Data Sheet and revised the policy and procedure regarding implementation of the form. Per the PAQ and interview with the PREA Coordinator, there were no incidents of retaliation in the past 12 months.

A review of the revised policy and procedure, review of the Retaliation Monitoring Data Sheet and interviews with the PREA Coordinator and classification staff confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.68: Post-allegation protective custody

115.68 (a)

- Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12 was reviewed and addresses the requirement of this standard. Per policy; Housing will be determined to ensure the inmate's safety as well as address any resulting mental health concerns. Community professional agencies may be utilized as necessary. The use of segregated housing to protect inmates who allege to have suffered sexual abuse is subject to those requirements outlined in 115.43.

In the past 12 months no inmates were placed in involuntary segregation from one hour to 24 hours. The auditor toured and confirmed no inmates were housed in the Segregation Unit for protection from sexual abuse during the on-site audit.

A review of policy and procedure, observation and interviews with the Jail Administrator, Classification staff and segregated housing staff confirms, the Waukesha County Jail is compliant with this standard.

INVESTIGATIONS

Standard 115.71: Criminal and administrative agency investigations

115.71 (a)

- When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? [N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).] Yes No NA
- Does the agency conduct such investigations for all allegations, including third party and anonymous reports? [N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).] Yes No NA

115.71 (b)

- Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34? Yes No

115.71 (c)

- Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data? Yes No
- Do investigators interview alleged victims, suspected perpetrators, and witnesses?
 Yes No
- Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator? Yes No

115.71 (d)

- When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution? Yes No

115.71 (e)

- Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff? Yes No

- Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding? Yes No

115.71 (f)

- Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse? Yes No
- Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings? Yes No

115.71 (g)

- Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible? Yes No

115.71 (h)

- Are all substantiated allegations of conduct that appears to be criminal referred for prosecution? Yes No

115.71 (i)

- Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years? Yes No

115.71 (j)

- Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation? Yes No

115.71 (k)

- Auditor is not required to audit this provision.

115.71 (l)

- When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12 and the PREA spreadsheet were reviewed and address the requirements of this standard. The policy states, an administrative or criminal investigation will be completed for all allegations of sexual harassment or abuse. The sexual abuse incident will be turned over to the Waukesha County Sheriff's Department and investigated by personnel who are trained in sexual abuse investigations in a correctional setting. Prosecution of offenders will be vigorously pursued by the Department as well as internal disciplinary action against the offender.

An interview with the Investigator indicated that the credibility of an alleged victim, suspect, or witness is assessed on an individual basis and not determined by the person's status as an inmate or staff member. He also indicated that by procedure they do not require the inmate who alleges sexual abuse to submit to a polygraph examination or other truth telling devices as a condition for proceeding with the investigation of such an allegation. The Investigator detailed the investigative process to the auditor. The typical case involves gathering and preserving direct and circumstantial evidence, including available physical and DNA evidence, available electronic monitoring data, conducted interview notes with alleged victims, suspected perpetrators, and witnesses, and also includes reviewing any prior complaints and reports of sexual abuse involving the suspected perpetrator. The departure of the alleged abuser or victim from the employment or control of The Waukesha County Jail does not provide a basis for terminating any investigation.

There were fifteen allegations of sexual abuse/harassment reported in the past 12 months and all were investigated and completed. There were five (5) staff on inmate sexual abuse allegations with findings of one (1) unsubstantiated and four (4) unfounded. There were two (2) staff-on-inmate sexual harassment allegations with findings of one (1) unsubstantiated and one (1) unfounded. There were two (2) inmate-on-inmate sexual abuse allegations with findings of one (1) substantiated and one (1) unsubstantiated. There were six (6) inmate-on-inmate sexual harassment allegations with findings of one (1) substantiated, three (3) unsubstantiated and two (2) unfounded.

The investigator provided documentation of annual PREA training and the specialized training for PREA investigators. When conducting administrative investigations, the investigators always decide whether staff actions or failures to act contributed to the abuse. WSD retains all written investigation reports for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

A review of policy, procedures, the training curriculum, investigative file and interview with investigator confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.72: Evidentiary standard for administrative investigations

115.72 (a)

- Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12 was reviewed and addresses the requirement of this standard. Interviews with the Investigator and Jail Administrator found that the Waukesha County Jail does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

A review of the procedure and interviews with the Jail Administrator and Investigator confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.73: Reporting to inmates

115.73 (a)

- Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded? Yes No

115.73 (b)

- If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.) Yes No NA

115.73 (c)

- Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the inmate whenever: The staff member is no longer posted within the inmate's unit? Yes No

- Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the inmate whenever: The staff member is no longer employed at the facility? Yes No
- Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the inmate whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility? Yes No
- Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the inmate whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility? Yes No

115.73 (d)

- Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently 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? Yes No
- Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility? Yes No

115.73 (e)

- Does the agency document all such notifications or attempted notifications? Yes No

115.73 (f)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12 and investigative files were reviewed and address the requirements of this standard. The Waukesha County Sheriff's Department is responsible for investigation of PREA incidents. Per policy; following an investigation into an inmate's

allegation that he or she suffered sexual abuse, the inmate will be informed whether the allegation has been determined to be substantiated, unsubstantiated or unfounded. If the Waukesha County Sheriff's Department did not conduct the investigation, the jail administrator or designee will request the relevant information from the investigating agency in order to inform the inmate. In all cases following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the inmate will be informed (unless the agency has determined that the allegation is unfounded) when:

1. The staff member is no longer posted within the inmate's housing pod.
2. The staff member is no longer employed by the Department.
3. The Department learns the staff member has been indicted on a charge related to sexual abuse within the facility.
4. The Department learns the staff member has been convicted on a charge related to sexual abuse within the facility.

Following an inmate's allegation that he or she has been sexually abused by another inmate, the victim inmate will be informed when:

1. The Department learns the alleged abuser has been indicted on a charge related to sexual abuse within the facility.
2. The Department learns the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

All notifications or attempted notifications will be documented and the Department's obligation to report to the inmate will terminate if the inmate is released from custody or transferred from the Waukesha County Jail.

A review of policy and procedure, investigative files and interviews with the PREA Coordinator and Investigator confirms, the Waukesha County Jail is compliant with this standard.

DISCIPLINE

Standard 115.76: Disciplinary sanctions for staff

115.76 (a)

- Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies? Yes No

115.76 (b)

- Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse? Yes No

115.76 (c)

- Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and

circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories? Yes No

115.76 (d)

- Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies (unless the activity was clearly not criminal)? Yes No
- Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12 was reviewed and addresses the requirements of this Standard. Per policy; a) Staff is subject to disciplinary sanctions up to and including termination for violating sexual harassment or abuse policies. Termination is the presumptive disciplinary sanction for staff who has engaged in sexual abuse. b) Disciplinary sanctions for violations of policies relating to sexual harassment or abuse will be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. c) All terminations for violations of sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, will be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies upon request and when the Department is in receipt of a properly executed Release of Information. d) The seriousness of the conduct will be taken into account when determining the appropriate commensurate response by the Department. Serious misconduct along these lines, even if committed once, will still be addressed by the Department. In the past 12 months, no staff members were terminated nor were there any instances requiring notification to a licensing body.

A review of policy, procedures and interviews with the Jail Administrator and PREA Coordinator confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.77: Corrective action for contractors and volunteers

115.77 (a)

- Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates? Yes No
- Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)? Yes No
- Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies? Yes No

115.77 (b)

- In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12 was reviewed and addresses the requirements of this standard. Procedures prohibit contractors or volunteers who engaged in sexual abuse to have access to the facility and to the inmates and require they be reported to law enforcement agencies and to relevant licensing bodies unless the activity was clearly not criminal.

In the past 12 months there have been zero (0) number of contractors or volunteers who have been reported to law enforcement for engaging in sexual abuse of inmates. Additionally, in the past 12 months there have been no allegations by contractors or volunteers regarding sexual abuse or sexual harassment. Interviews with contractors and volunteers confirmed they were aware the punishment for engaging in sexual abuse or sexual harassment of inmates.

A review of policy and procedure and interviews with the Jail Administrator, contract staff and volunteers confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.78: Disciplinary sanctions for inmates

115.78 (a)

- Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process? Yes No

115.78 (b)

- Are sanctions 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? Yes No

115.78 (c)

- When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior? Yes No

115.78 (d)

- If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits? Yes No

115.78 (e)

- Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact? Yes No

115.78 (f)

- For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation? Yes No

115.78 (g)

- Does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)
 Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12 and 360.3 were reviewed and address the requirements of this standard. Per policy; a) Inmates are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse. b) Sanctions will 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 (reference jail policy 360.3) c) The disciplinary process will 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. d) Inmates will be disciplined for sexual contact with staff only upon a finding that the staff member did not consent to the contact. e) For the purpose of disciplinary action, a report of sexual abuse based on reasonable belief in the alleged conduct will not be considered falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation. f) All sexual activity between inmates in the Waukesha County Jail is prohibited and inmates will be disciplined for such activity. WSD will not, however, deem such activity to constitute sexual abuse if it is determined the activity is not coerced. In the past 12 months, there has been 1 (one) criminal finding of inmate-on-inmate sexual abuse. Interviews with mental health staff indicates they meet and evaluate inmate sexual abusers.

A review of policies, procedures and interviews with the PREA Coordinator and Mental Health staff confirms, the Waukesha County Jail is compliant with this standard.

MEDICAL AND MENTAL CARE

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

115.81 (a)

- If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)
 Yes No NA

115.81 (b)

- If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.) Yes No NA

115.81 (c)

- If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? Yes No

115.81 (d)

- Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law? Yes No

115.81 (e)

- Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policies and procedures 351.1 and 315.12 were reviewed and address the requirement of this standard. The policy states the supervisor will review all new incoming PREA Screening Forms and will print those if the screening form designates the inmate as a known/potential victim or known/potential predator. The printed screening form will be placed in the MH/AODA mail tray at the intake center duty post for mental health staff review. If the inmate indicates they have experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, a follow-up meeting with a medical or mental health staff person will be offered within 14 days of the intake PREA screening.

An interview with a Lieutenant that reviews PREA screening forms and observation during the intake process confirmed referrals are made to mental health staff. The auditor interviewed mental health staff and confirmed a mental health screening evaluation is completed and documented. Informed consent is obtained from inmates who were victimized, not in an institutional setting. A review of the mental health screening reports indicates inmates are seen within 14 days of a referral. The auditor interviewed two inmates who disclosed prior victimization either upon arrival and both of them indicated they were referred to medical or mental health. The procedure mandates that information relating to sexual victimization or abuse that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners, and other staff as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, state, or local law.

A review of policies, procedures, documentation and interviews with Intake staff, Supervisors, Mental Health staff and inmates confirms, the Waukesha County Jail is compliant with this standard.

Standard 115.82: Access to emergency medical and mental health services

115.82 (a)

- Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?
 Yes No

115.82 (b)

- If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62? Yes No
- Do security staff first responders immediately notify the appropriate medical and mental health practitioners? Yes No

115.82 (c)

- Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate? Yes No

115.82 (d)

- Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?
 Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12, Correct Care Solution policy and procedure B-05 and the Waukesha County Guideline for Responding to Sexual Assault were reviewed and address the requirements of this standard. Policy state inmate victims of sexual abuse shall receive timely,

unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment; and inmate victims of sexual abuse while incarcerated shall be offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate. Inmates are transported to a local hospital for forensic exams. The services are provided at no cost to inmates regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

A review of policy, procedure and supporting documentation as well as interviews with Medical and Mental Health staff confirms, the Waukesha County Jail is compliant with this standard.

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

115.83 (a)

- Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility? Yes No

115.83 (b)

- Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody? Yes No

115.83 (c)

- Does the facility provide such victims with medical and mental health services consistent with the community level of care? Yes No

115.83 (d)

- Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if all-male facility.) Yes No NA

115.83 (e)

- If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if all-male facility.) Yes No NA

115.83 (f)

- Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate? Yes No

115.83 (g)

- Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?
 Yes No

115.83 (h)

- If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)
 Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 316.12, policy and procedure B-05 and the Waukesha County Guideline for Responding to Sexual Assault were reviewed and address the requirements of this standard. The Waukesha County Jail offers medical and mental health evaluations and, as appropriate, follow-up services and treatment to all inmates who have been victimized by sexual abuse. Inmates will be offered all lawful pregnancy-related medical services; prophylactic treatment and follow-up for sexually transmitted or other communicable diseases; counseling and testing; and will be referred to the mental health staff or community providers for crisis intervention as necessary. Medical and Mental Health staff when asked, considered the level of care comparable to (or better than) the community level of care. Victims are provided services without cost whether the victim names the abuser or cooperates with any investigation.

A review of policies, procedures and support documentation and interviews with medical and mental health staff confirms, the Waukesha County Jail is compliant with this standard.

DATA COLLECTION AND REVIEW

Standard 115.86: Sexual abuse incident reviews

115.86 (a)

- Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded? Yes No

115.86 (b)

- Does such review ordinarily occur within 30 days of the conclusion of the investigation?
 Yes No

115.86 (c)

- Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners? Yes No

115.86 (d)

- Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse? Yes No
- Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility? Yes No
- Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse? Yes No
- Does the review team: Assess the adequacy of staffing levels in that area during different shifts? Yes No
- Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff? Yes No
- Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1) - (d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?
 Yes No

115.86 (e)

- Does the facility implement the recommendations for improvement, or document its reasons for not doing so? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

The revised WSD policy and procedure 361.12 and incident review form was reviewed and address the requirements of this standard. The procedure identifies the minimum members of

the review team and covers the process for sexual abuse incident reviews, to include the form the review team uses. The form addresses whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the institution; whether physical barriers in the area may enable abuse; the adequacy of staffing levels in that area during different shifts; and whether monitoring technology should be deployed or augmented to supplement supervision by staff. The Waukesha County Jail did not document that a sexual abuse incident review was completed at the conclusion of every investigation that was substantiated or unsubstantiated in the past 12 months.

Per discussion with the Jail Administrator and PREA Coordinator, WSD policy and procedure 361.12 was revised and a form create to document the reviews. The review team will include the jail administrator or designee, the PREA coordinator, with input from captains, lieutenants, investigators and medical or mental health staff. A sexual abuse incident review will be conducted by the review team within 30 days of the conclusion of every sexual abuse investigation, including when the allegation has not been substantiated, unless the allegation has been determined to be unfounded. The review will be documented on the incident review form.

A review of the revised policy and procedure, incident review form and interviews with the Jail Administrator and PREA Coordinator confirms, the Waukesha County Jail is now compliant with this standard.

Standard 115.87: Data collection

115.87 (a)

- Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions? Yes No

115.87 (b)

- Does the agency aggregate the incident-based sexual abuse data at least annually? Yes No

115.87 (c)

- Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice? Yes No

115.87 (d)

- Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews? Yes No

115.87 (e)

- Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.) Yes No NA

115.87 (f)

- Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12 and the 2017 Annual PREA Report were reviewed and address the requirements of this standard. Procedure requires uniform data be collected for every incident of sexual abuse alleged to have occurring at The Waukesha County Jail using a standardized instrument and set of definitions. The Agency PREA Coordinator is responsible for collecting data and ensuring that such data includes the information necessary to complete the Federal Bureau of Justice Statistics "Survey of Sexual Victimization (SSV) form. Interview with the PREA Coordinator indicated the data is maintained, reviewed, and collect data as needed from all available incident-based documents, including reports and investigation files and is aggregated and an annual report prepared. WSD does not contract for the confinement of its inmates.

A review of the policy and procedure, 2017 Annual PREA Report, as well as an interview with the PREA Coordinator, confirms The Waukesha County Jail is compliant with this standard.

Standard 115.88: Data review for corrective action

115.88 (a)

- Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas? Yes No
- Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis? Yes No

- Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole? Yes No

115.88 (b)

- Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse Yes No

115.88 (c)

- Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means? Yes No

115.88 (d)

- Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12, WSD website and the 2017 Annual PREA Reports/Corrective Actions Plans were reviewed and address the requirements of this standard. The policies requires the jail administrator or designee to review the data collected to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies; and to identify problem areas and take corrective actions.

Review of the WSD website revealed that the annual report was not posted. This was addressed and the 2017 Annual PREA Report with corrective action plan was published on the Agency website during the post audit phase of this audit. This plan, approved by the Jail Administrator, was reviewed by the auditor. The annual report includes a comparison of current year's data with the prior year and any identified corrective actions needed. In 2017, staff were reminded that the intake officer will issue the inmate a copy of the PREA educational pamphlet and will inform the inmate the Waukesha County Jail has a zero tolerance policy regarding sexual abuse and harassment, and will explain to the inmate how to report incidents or suspicions of sexual abuse or sexual harassment.

A review of the policy and procedure, 2017 Annual PREA Report and the WSD website, as well as interviews with the Jail Administrator and PREA Coordinator, confirms The Waukesha County Jail meets the requirement of this standard.

Standard 115.89: Data storage, publication, and destruction

115.89 (a)

- Does the agency ensure that data collected pursuant to § 115.87 are securely retained?
 Yes No

115.89 (b)

- Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means? Yes No

115.89 (c)

- Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available? Yes No

115.89 (d)

- Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD policy and procedure 361.12 and the 2017 Annual PREA Report were reviewed and address the requirements of this standard. All sexual abuse data collected pursuant to this procedure is maintained and properly stored and secured. Sexual abuse data collected will be retained by the agency for ten (10) years after the date of the initial collection unless Federal, State, or local laws requires otherwise.

The PREA Coordinator is responsible for collecting, maintaining and securing all sexual abuse data. Access to data is controlled. Aggregate data is available to the public through its website per the Annual PREA Report. Before making aggregated sexual abuse data publicly available, WSD removes all personal identifiers.

A review of the policy and procedure, 2017 Annual PREA Report, the WSD website and interview with the PREA Coordinator confirms, the Waukesha County Jail is compliant with this standard.

AUDITING AND CORRECTIVE ACTION

Standard 115.401: Frequency and scope of audits

115.401 (a)

- During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (*Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.*) Yes No

115.401 (b)

- Is this the first year of the current audit cycle? (*Note: a "no" response does not impact overall compliance with this standard.*) Yes No
- If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is **not** the *second* year of the current audit cycle.) Yes No NA
- If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is **not** the *third* year of the current audit cycle.) Yes No NA

115.401 (h)

- Did the auditor have access to, and the ability to observe, all areas of the audited facility? Yes No

115.401 (i)

- Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)? Yes No

115.401 (m)

- Was the auditor permitted to conduct private interviews with inmates, residents, and detainees? Yes No

115.401 (n)

- Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

WSD has only one facility and this is the first PREA audit of the Waukesha County Jail.

The auditor was given access to and an opportunity to tour and visit all areas of the facility. The auditor received copies of any relevant documents requested (including electronically stored information). The auditor was provided with an office that ensured privacy in conducting interviews with inmates and staff during the site visit. Notice of PREA audit was posted on October 19, 2018. Interviews with inmates stated they have seen posting.

Standard 115.403: Audit contents and findings

115.403 (f)

- The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports within 90 days of issuance by auditor. The review period is for prior audits completed during the past three years PRECEDING THIS AGENCY AUDIT. In the case of single facility agencies, the auditor shall ensure that the facility's last audit report was published. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or in the case of single facility agencies that there has never been a Final Audit Report issued.) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

This is the first PREA audit of the Waukesha County Jail. The PREA Coordinator is aware that all Final PREA Audit Reports are to be published on the Agency's website within 90 days of issuance by the auditor.

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.



Auditor Signature

January 7, 2019
Date