

PREA AUDIT REPORT Interim Final
ADULT PRISONS & JAILS

Date of report: February 11, 2016

Auditor Information			
Auditor name: Timothy Pippo			
Address: 3800Braddock Av NE Buffalo, MN 55313			
Email: tim.pippo@co.wright.mn.us			
Telephone number: 763-684-2380			
Date of facility visit: January 11, 12, 2016			
Facility Information			
Facility name: Nobles County Jail			
Facility physical address: 1530 Airport Road Worthington, MN 56187			
Facility mailing address: <i>(if different from above)</i> Click here to enter text.			
Facility telephone number: 507-295-5378			
The facility is:	<input type="checkbox"/> Federal	<input type="checkbox"/> State	<input checked="" type="checkbox"/> County
	<input type="checkbox"/> Military	<input type="checkbox"/> Municipal	<input type="checkbox"/> Private for profit
	<input type="checkbox"/> Private not for profit		
Facility type:	<input type="checkbox"/> Prison	<input checked="" type="checkbox"/> Jail	
Name of facility's Chief Executive Officer: Kent Wilkening			
Number of staff assigned to the facility in the last 12 months: 24			
Designed facility capacity: 80			
Current population of facility: 40			
Facility security levels/inmate custody levels: Minimum Medium Maximum			
Age range of the population: 32.88			
Name of PREA Compliance Manager: Monette Berkevich		Title: Jail Administrator	
Email address: msoderholm@co.nobles.mn.us		Telephone number: 507-295-5356	
Agency Information			
Name of agency: Nobles County Sheriff's Office			
Governing authority or parent agency: <i>(if applicable)</i> Click here to enter text.			
Physical address: 1530 Airport Road Worthington, MN 56187			
Mailing address: <i>(if different from above)</i> Click here to enter text.			
Telephone number: 507-295-5378			
Agency Chief Executive Officer			
Name: Kent Wilkening		Title: Sheriff	
Email address: kwilkening@co.nobles.mn.us		Telephone number: 507-295-5400	
Agency-Wide PREA Coordinator			
Name: Monette Berkevich		Title: Jail Administrator	
Email address: msoderholm@co.nobles.mn.us		Telephone number: 507-295-5356	

AUDIT FINDINGS

NARRATIVE

Nobles County Jail is an 80 bed facility located in Worthington Minnesota, a rural community in Southwestern Minnesota. The Jail houses pre-trial and sentenced adult male and female offenders. The Jail also boards inmates for the Minnesota Department of Corrections, ICE and inmates from neighboring counties. The Jail has a 24 hour limit for housing youthful inmates between the ages of 14-17 years of age. The Facility is licensed by the Minnesota Department of Corrections and abides by Minnesota Rules Governing Adult Detention Centers Chapter 2911. All staff members have numerous responsibilities and perform the duties of Intake Officers along with Security functions. On January 11 and 12 2016, Timothy Pippo a Certified PREA Auditor conducted an audit of the Nobles County Jail. I interviewed 10 random inmates along with 1 inmate with special needs. I also conducted interviews with 14 staff members. I conducted 2 phone interviews after the on-site audit. I was given a thorough tour of the facility including all of the housing units and bathroom/shower areas. There were 40 inmates housed in the jail on the dates of the tour. The Jail utilizes 50 volunteers from the community to facilitate programs for the inmates.

Mission Statement: "It is the purpose of the Nobles County Jail to provide for the public safety of the citizens of Nobles County and the surrounding areas by maintaining a facility that provides a clean, safe, secure, human and cost-effective environment in which to house offenders while seeing to their rights and needs."

Goals: Follow the highest standards set by the Minnesota Department of Corrections, Minnesota State Statutes and the Constitution of the United States of America. Ensure that the individuals within the facility, whether inmate, visitor, or staff are treated justly and fairly and that they are not subjected to physical, psychological, sexual abuse, sexual harassment or emotional abuse or danger. We will create an environment of open communication on all levels so that no idea will go unheard, and we will promote safety by maintaining control of our facility.

DESCRIPTION OF FACILITY CHARACTERISTICS

The Nobles County Jail is an 80 bed facility that has an indirect podular design. The Jail has a 12 bed housing unit utilized primarily for females. There are 2 units that have 8 bed single bunks for maximum custody and classification purposes. The facility has 2 units that have 16 bed capacity and 2 dormitory style units that can hold up to 14 inmates each. There are 2 single bunk special management units. The Booking /Intake area has 4 temporary holding cells. All the showers in the Jail have privacy curtains or have a wall that eliminates line of sight issues. Staff do well being checks every 30 minutes and more frequently for special needs inmates, these checks are recorded on watch tour buttons located in the units. The facility has a meeting room for attorney/investigator visitation. There is a visitation area for face to face visitation between glass and an area for video visitation. The Jail has a library, a program office and indoor and outdoor recreation areas. There is a Work Release locker room and an inmate change out property storage area by the Booking Station. The Jail has a laundry room. The Jail contracts with a private Medical Provider and they have a Medical Office. The Jail Kitchen is located outside of the secure facility but in the same building. All offices and rooms in the Jail have large windows for maximum visibility and monitoring. The housing area has a raised work station for staff members with a control panel for door operation and video monitoring. The raised work station provides for high visibility into the housing units. The facility has 73 cameras strategically located throughout the entire facility. The cameras may be monitored by staff at the housing work station, at the County Dispatch Center and from the Jail Administrators Personal Computer.

SUMMARY OF AUDIT FINDINGS

[Click here to enter text.](#)

Number of standards exceeded: 0

Number of standards met: 42

Number of standards not met: 0

Number of standards not applicable: 1

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

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

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

Policy 612 pertains to this standard. The Jail has a Zero Tolerance Policy and has a designated PREA Coordinator. Interviews with the Sheriff and the PREA Coordinator confirm that the Coordinator has been allotted sufficient time and authority to comply with PREA Standards. Nobles County Jail also follows the US Immigration and Customs Enforcement Policy 11062.1

Standard 115.12 Contracting with other entities for the confinement of inmates

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

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

Nobles County Jail does not contract with any outside agency for security purposes. Therefore this Standard is Not Applicable to this facility.

Standard 115.13 Supervision and monitoring

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

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

- a). The facility has a Staffing Plan that is consistent with what is required by the Minnesota Department of Corrections Rule 2911.0900. The plan includes video monitoring and adheres to all of the components of this Standard. Policy C01 provides guidelines for the Staffing Plan.
- b). The Staffing Plan is never deviated from. Staff are required remain on duty until relieved.
- c). The Jail Administrator confirmed during interviews that PREA considerations are addressed when re-evaluating the Staffing Plan. The PREA Audit Report

facility recently added a camera to the Medical Room, taking blind spots into consideration.

d). The Nobles County Jail has a policy and procedure in place to ensure that supervisors make unannounced random checks on staff to deter and detect staff sexual abuse or harassment and to document these checks. Supervisors often work alongside housing officers. The Jail Administrator has access to view and monitor the facility video system from her personal computer.

Standard 115.14 Youthful inmates

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

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

The facility is limited to holding a youthful inmate for 24 hours or less. Interviews with staff members assured that these inmates were kept separate from sight and sound from adult inmates.

Standard 115.15 Limits to cross-gender viewing and searches

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

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

- a). The Jail does not perform cross-gender strip searches of any kind.
- b). The Jail does not perform cross-gender pat searches of any kind. Interviews with inmates revealed that they were never withheld from programs because of gender specific searches.
- c). The facility would not perform cross-gender searches but would document such searches.
- d). All of the housing units have individual showers that have privacy curtains and or privacy walls. Interviews with both inmates and officers indicate that staff members of the opposite gender announce themselves when entering a housing unit and that inmates are never naked in front of opposite sex staff members. Policy 528 addresses this Standard. Cameras in individual cells have the toilet area blacked out.
- e). Staff indicated that they would take the inmate's own view on gender to determine who would perform searches on Transgender inmates.
- f). Staff interviews determined that staff are trained on how to conduct searches on Transgender and Intersex inmates. Searches are included in the facility training curriculum.

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

- Exceeds Standard (substantially exceeds requirement of standard)

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

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

Policy 604 refers to this standard. The Jail utilizes an interpreter service “Language Line” to inform limited English Proficient inmates of the Agencies Zero Tolerance Policy. The facility has a Spanish handbook available and Spanish postings in the housing units. I interviewed a limited English speaking inmate during the audit using “Language Line” at the Booking station. The interview concluded that the inmate was aware of how to report incidents to officers and stated that he felt “safe” from sexual abuse in the facility. The Jail has an account with “Communication Services for the Deaf” to utilize when needed.

Standard 115.17 Hiring and promotion decisions

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

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

- a) Nobles County Personnel Policy P-235 outlines a code of conduct and prohibits employees from fraternization with inmates. The Agency screens new employees before hiring and existing employees before promoting.
- b) Incidents of sexual harassment are considered before any employee is hired or promoted.
- c) d) The Agency performs criminal background checks on all new employees and volunteers.
- f) Applicants are required to report previous misconduct and are questioned in background checks. Existing employees are required to disclose any misconduct during performance reviews.
- g) Policy spells out discipline up to termination for false reporting.
- h) Interviews confirmed that sexual abuse or harassment incidents would be reported to other employers if requested.

Standard 115.18 Upgrades to facilities and technologies

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

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

Interviews with the Sheriff and the Jail Administrator acknowledged that PREA Standards would be considered in any upgrade to the PREA Audit Report

facility. A camera was recently installed in the Jail Medical Room to aid monitoring of inmate activity.

Standard 115.21 Evidence protocol and forensic medical examinations

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

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

Policy 612.10 adheres to this standard. Worthington Minnesota Police Department will investigate any sexual abuse allegations or incidents in the Jail. An interview with one of the Detectives from Worthington PD confirmed that they would follow the protocols appropriate with this standard, they investigate sexual abuse crimes per their web-site <http://www.ci.worthington.mn.us/crime-information> Sexual abuse victims would be taken to “Sanford Worthington Medical Center” for forensic examinations.

Standard 115.22 Policies to ensure referrals of allegations for investigations

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

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

Policy 612.7 pertains to this standard. Nobles County Jail will utilize investigators from the Worthington Police Department for sexual abuse allegations and incidents. Worthington Police have two seasoned well trained investigators for any criminal sexual abuse incidents. Worthington PD has Policy 105-01 as a guideline for these investigations. The Jail has information posted on its web-site on investigations at <http://www.co.nobles.mn.us/Departments/SheriffsOffice/NoblesCountyJail/tabid/845/Default.aspx>

Standard 115.31 Employee training

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

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

corrective actions taken by the facility.

Policy 318 covers training. The Jail has a training curriculum that meets this standard. Interviews with staff members confirmed that they have been trained on all aspects of this standard. Receipt of training is documented. The facility has monthly staff meetings, PREA concerns and considerations are discussed at these meetings.

Standard 115.32 Volunteer and contractor training

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

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

The Jail has documented training records for all volunteers and contractors. An interview with a volunteer assured that they had received training on the Zero Tolerance Policy and how to report any and all allegations or incidents of sexual abuse/harassment.

Standard 115.33 Inmate education

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

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

- a). Inmates receive notice of the agency Zero Tolerance Policy at time of intake. Interviews with inmates indicated that they received this information the same day as arrival.
- b). The Jail does an automatic re-classification with inmates every 20-30 days. Procedures for inmate reporting are documented and covered during this re-classification process and in a video presented by the Program Staff.
- c). All the inmates housed during the audit had received education.
- d). The Jail provides the information in Spanish and would use interpreter or other services to attend to inmates with special needs.
- e). The inmates sign acknowledgement of the education.
- f). The Jail has postings in the housing units and provides Inmate Handbooks in English and Spanish versions that contain inmate education information.

Standard 115.34 Specialized training: Investigations

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

- Does Not Meet Standard (requires corrective action)

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

The Jail will use Worthington Police Department investigators to conduct criminal investigations. These investigators have received specialized training from the NIC on how to conduct investigations in confinement settings. The Police Department has protocols for legal investigations and referrals for Prosecution.

Standard 115.35 Specialized training: Medical and mental health care

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

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

The Jail contracts with” MEnD Correctional Care” <http://www.mendcare.com/services.shtml> for medical services. MEnD staff have been trained by Jail on its Zero Tolerance Policy and how to report any and all allegations or incidents of sexual abuse/harassment. The medical staff have also been trained by the Provider on this standard. The nurses have documented receipt of this specialized training. The medical staff at the Jail would not conduct forensic examinations; inmates would be transported to “Sanford Worthington Medical Center”.

Standard 115.41 Screening for risk of victimization and abusiveness

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

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

Intake Officers follow Policy 516 to comply with this standard. The screening tool that Officers utilize cover all the aspects spelled out in this standard. Interviews with staff members and inmates confirmed that this screening takes place normally on the same day of arrival to the Jail. Inmates are re-classified and screened every 20-30 days of incarceration. Inmates are not disciplined for not answering personal questions asked during the screening. The facility has tight controls on the dissemination of information captured during the screening.

Standard 115.42 Use of screening information

- Exceeds Standard (substantially exceeds requirement of standard)

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

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

- a). Information from the screening tool is used to determine housing assignments following Policy 4.1.1 on classification.
- b). Each inmate’s own safety is considered in housing assignments.
- c)d)e)f). The facility has not housed a Transgender or Intersex inmate within the last year. Interviews with staff members indicate that persons meeting this criteria would be allowed programming and carefully considered housing and that such persons own views of safety would be taken into consideration. All the shower areas in the Jail allow privacy.
- g). Any inmate identified as LGBTI would not receive dedicated housing assignments only because of such identification.

Standard 115.43 Protective custody

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

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

The Jail follows Policy 06.04.04 and 612.12 for classification of protective custody inmates. There have been no inmates segregated because of sexual victimization in the facility in the last year. Supervisors must approve protective custody. Interviews with the Jail Administrator and Classification Officers show that protective custody would be used on limited basis and inmates classified as such would be allowed programming and would be re-classified at least every 20-30 days but most likely much more frequent than that.

Standard 115.51 Inmate reporting

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

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

Policy 612.7.2 refers to methods for inmates to report sexual abuse/harassment. Inmates indicated through interviews that they knew they could report to officers directly or privately. The Jail has an MOU with “Southwest Crisis Center” <http://www.mnswcc.org/> The phone number for this victim’s advocate entity is listed in the Inmate Handbook and on posters in the housing units. Interview with staff members

indicate that they would accept reports from inmates and respond to such reports immediately. Officers also said that they could make reports privately if necessary.

Standard 115.52 Exhaustion of administrative remedies

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

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

The Jail has a grievance Policy 620. The policy states that any grievance concerning sexual abuse/harassment would be treated as an emergency grievance and acted upon immediately.

Standard 115.53 Inmate access to outside confidential support services

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

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

Nobles County Jail has a signed Memoranda of Understanding with “Southwest Crisis Center” to provide victim advocacy support services to inmates. A phone interview confirmed that the crisis center would act as an advocate and provide confidential support. The web-site is <http://www.mnswcc.org/contact-us.html>

Standard 115.54 Third-party reporting

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

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

The Jail has third party reporting information listed on their web-site

<http://www.co.nobles.mn.us/LinkClick.aspx?fileticket=uhcxFwYpX%2bU%3d&tabid=886&mid=1952> They also have flyers available to the public in the lobby of the jail for visitors. Staff members said they would accept and react to any third party report.

Standard 115.61 Staff and agency reporting duties

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

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

The Jail follows Policy 612.4 to comply with this standard.

- a). Staff interviews confirmed that they would report any and all allegations of sexual abuse, harassment or retaliation immediately to supervisors. The facility has two Sergeants and the Jail Administrator designated as persons to report to immediately.
- b). Policy and Minnesota State Statutes are followed by facility staff regarding data privacy.
- c). An interview with a nurse of the facility assured that they would inform facility supervisors of any sexual abuse reported to them.
- d). Minnesota has a Mandatory Reporting Law for persons under the age of 18 and Vulnerable Adults which the Agency abides by.
- e). Policy and practice require staff to report to designated investigators of any and all sexual abuse and harassment incidents

Standard 115.62 Agency protection duties

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

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

Policy 612.4 has procedures for officers to follow to report any allegation or incident immediately. Staff interviews affirmed that the safety of the victim is paramount.

Standard 115.63 Reporting to other confinement facilities

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

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

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

Policy 612.4.1 spells out procedures for the facility to report to other facilities any reports of sexual abuse that occurred in that facility. The Jail Administrator confirmed compliance with this policy. There have been no inmates reporting sexual abuse that occurred in another facility to Nobles County staff in the last year.

Standard 115.64 Staff first responder duties

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

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

Policy 612.6 has procedures in place to comply with all aspects of this standard. Interviews with security and non-security staff proved that they had knowledge on how to respond to an incident appropriately and how to maintain the integrity a crime scene.

Standard 115.65 Coordinated response

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

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

The Jail has a plan in place to assist officers in taking correct actions in response to an incident of sexual abuse.

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

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

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

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

Corrections Officers of the Nobles County Jail are part of a collective bargaining unit. An interview with the Sheriff indicated that nothing in the contact with the officers would prohibit him from removing any employee from the facility to protect victims of sexual assault.

Standard 115.67 Agency protection against retaliation

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

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

Policy 612.5 refers to this standard. The Jail Administrator and the Jail Sergeants would monitor retaliation in the facility. Such monitoring would be in effect for the entire stay of any inmate. The Jail Administrator assured that all measures would be taken to protect inmates from retaliation.

Standard 115.68 Post-allegation protective custody

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

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

The Jail's classification policy and procedures require close monitoring of any inmate placed into protective custody. There have been no inmates placed into protective custody status in the last year because of sexual victimization.

Standard 115.71 Criminal and administrative agency investigations

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

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

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

Policy 612.7 coincides with this standard. The Jail will utilize 2 detectives from the Worthington Police Department for criminal investigations and the Jail has 3 persons tasked with doing administrative investigations. The Worthington Police Department Policy 105-01 pertains to criminal investigations of sexual assault. The 2 detectives are experienced in sexual assault investigations per their web site <http://www.ci.worthington.mn.us/crime-information>. All of the investigators have documented completion of specialized training for conducting investigations in a confinement setting. An interview with a detective from the Worthington Police Department confirmed that their investigations would comply with the standard and would refer investigations for possible prosecution.

Standard 115.72 Evidentiary standard for administrative investigations

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

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

Jail Policy 612.7.1 and interviews showed that the facility would adhere to the evidentiary standard required.

Standard 115.73 Reporting to inmates

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

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

Policy 612.7.2 covers this standard. Interviews with the Jail Administrator indicated that sexual abuse victims would be kept apprised of any relevant information concerning a criminal investigation.

Standard 115.76 Disciplinary sanctions for staff

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

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

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

All employees sign acknowledgement of a Code of Conduct General Order that outlines discipline up to and including termination for violation of sexual abuse/harassment policies. There have been no employees disciplined for violation of this General Order in this audit period.

Standard 115.77 Corrective action for contractors and volunteers

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

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

Policy 612.8.1 spells out termination of any contractor or volunteer that violates policies concerning sexual abuse/harassment. The Sheriff and the Jail Administrator both stated that any non-security staff member would be immediately banned from the facility and be referred for criminal investigation if deemed necessary.

Standard 115.78 Disciplinary sanctions for inmates

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

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

The Jail has a due process procedure outlined in Policy 06.12.04 when dealing with inmate discipline. Jail rules are outlined in the Inmate Handbook. The facility uses a Severity of Offense chart when determining inmate discipline. Sexual Abusers would be disciplined at highest degree. Policy 612.13 concerns false accusations by inmates.

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

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

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

It is the standard practice of Intake Officers to refer inmates to Jail Medical nurses when they have reported prior victimization. MEnD Correctional Care provides inmates with medical and mental health professionals. An interview with a nurse confirmed adherence with this standard.

Standard 115.82 Access to emergency medical and mental health services

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

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

Sexual abuse victims would be transported to “Sanford Worthington Medical Center” <http://www.sanfordhealth.org/services/emergencymedicine> for treatment and forensic examinations. The Emergency Department Director confirmed that they would accept and treat inmates from the Nobles County Jail.

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

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

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

MeND Correctional Care has sexual assault Nursing Protocols that comply with this standard. An interview with one of the nurses confirmed that they would provide free medical and mental health services to victims of sexual abuse.

Standard 115.86 Sexual abuse incident reviews

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

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

Policy 612.14 addresses this standard. The Jail has an incident review team of 3 trained members. 5 incident reviews were completed in 2015. The Jail uses information from the reviews to determine policy and procedure changes or physical plant upgrades to deter further incidents.

Standard 115.87 Data collection

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

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

Policy 612.15 covers this standard. The Jail Administrator maintains PREA incident log. The Jail would provide this information to the Department of Justice if requested.

Standard 115.88 Data review for corrective action

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

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

The Jail includes its statistical data on an annual report. The information is included on the Jail's web site at <http://www.co.nobles.mn.us/Departments/SheriffsOffice/NoblesCountyJail/tabid/845/Default.aspx> Interviews with the Sheriff and the Jail Administrator indicated that this data is considered when assessing the efficiency of its sexual abuse/harassment deterrence practices.

Standard 115.89 Data storage, publication, and destruction

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

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

Jail Policy 612.16 follows State and Federal Statutes concerning data privacy and retention. The Jail abides by Minnesota Rule 2911.2100. 2200, 2300 in regards to the status of data as confidential or public.

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.

Timothy Pippo

February 11, 2016

Auditor Signature

Date