

PREA AUDIT REPORT Interim Final
ADULT PRISONS & JAILS

Date of report: June 12, 2017

Auditor Information			
Auditor name: Timothy Pippo			
Address: 3800 Braddock Av NE Buffalo, MN 55313			
Email: tim.pippo@co.wright.mn.us			
Telephone number: 763-684-2380			
Date of facility visit: May 11, 12 2017			
Facility Information			
Facility name: Faribault County Jail			
Facility physical address: 320 Dr. H Russ St. Blue Earth, MN 56013			
Facility mailing address: <i>(if different from above)</i> Click here to enter text.			
Facility telephone number: 507-526-5148			
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: Mike Gormley			
Number of staff assigned to the facility in the last 12 months: 16			
Designed facility capacity: 62			
Current population of facility: 26			
Facility security levels/inmate custody levels: Minimum Medium Maximum			
Age range of the population: 18-80			
Name of PREA Compliance Manager: N/A		Title: Click here to enter text.	
Email address: Click here to enter text.		Telephone number: Click here to enter text.	
Agency Information			
Name of agency: Faribault County Sheriff's Office			
Governing authority or parent agency: <i>(if applicable)</i> Faribault County Board of Commissioners			
Physical address: 415 N. Main Blue Earth, MN 56013			
Mailing address: <i>(if different from above)</i> P.O. Box 130			
Telephone number: 507-526-6225			
Agency Chief Executive Officer			
Name: Mike Gormley		Title: Sheriff	
Email address: mikeg@fcsd.org		Telephone number: 507-526-5148	
Agency-Wide PREA Coordinator			
Name: Jennifer Howard		Title: Corrections Officer	
Email address: jenniferh@fcsd.org		Telephone number: 507-526-5148	

AUDIT FINDINGS

NARRATIVE

The Faribault County Jail is a small sized facility located in the city of Blue Earth, MN. The Jail is in the same building as the Law Enforcement Center. The Jail operates under a conditional license from the Minnesota Department of Corrections. The Jail uses Minnesota Chapter 2911 Rules Governing Adult Correctional Facilities as a guideline for their Policy and Procedures. Faribault County Minnesota is a rural county located in south central Minnesota. The Jail houses Adult Male and Female Offenders both Pre-Trial and Sentenced. The facility is only licensed to detain Juvenile Offenders for a maximum of 24 hours. The facility has an Average Daily Population of 29 inmates. The Jail also boards inmates for some neighboring counties and for the Minnesota Department of Corrections. On May 11, 2017 Timothy Pippo, a Certified PREA Auditor conducted an audit of Faribault County Jail. I first met with the Jail Administrator and the PREA Coordinator to discuss the process of the audit. I was given a complete tour of the facility I was able to view and inspect all areas of the Jail that inmates may have access to. I then proceeded to interview 13 inmates and 10 staff members. I returned to the facility on May 12, 2017 and interview 2 additional interviews. I conducted subsequent phone interviews with volunteers and community based medical/victim advocates. I was given permission to view records and documents pertaining to compliance with PREA. MISSION

It is the policy of the Faribault County Jail to recognize that their purpose is to provide safe and secure incarceration and detention for the following: Felons, gross misdemeanants, misdemeanants, pretrial detainees and others being detained in protective custody. The jail shall further strive to provide an atmosphere where the rights of inmates are protected, as well as promote their humane care. It is the goal of the Faribault County Jail to establish an environment of respect and dignity toward inmates and to strive for staff sensitivity toward persons under their care.

DESCRIPTION OF FACILITY CHARACTERISTICS

The Faribault County Jail was built in 2009. It has an indirect podular design for inmate housing. All of the shower areas of the jail are single private showers with half doors on them. The facility has lots of windows in the housing units to allow officer observation of inmate activity. There is a raised two staff work station with door controls and video monitors located in the center of 4 housing units. The housing units are two levels. The housing units consist of one 6 cell double bunked unit, three 8 cell double bunked units, one 2 cell single bunked administrative unit, one single cell Medical unit and a 2 single cell unit for Juveniles. The facility always has a minimum of 2 security staff members. The Faribault County 911 dispatch center is located adjacent to the jail and those officers have the ability to control doors also. The jail has 91 cameras strategically located throughout the facility to augment security. The jail has an indoor recreation room, a library, 1 classroom, a property room and a work release locker room. There are 2 Holding cells located in the Booking/Intake area that are used as a temporary staging area. There is also a large Holding cell area where inmates are staged until they go to a Courtroom in the Law Enforcement Center or are transported to the Faribault County Courthouse. The Medical Unit of the jail has a nurse office, an exam room and a private bathroom that has a bath tub. There is a laundry room and an interview room also. All of the areas and rooms in the jail have security cameras. Staff make well-being checks in the housing units on a regular basis. All of the staff members perform security duties as well as Booking/Release duties.

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 J150.01 qualifies compliance with this standard. The facility has a qualified officer in place to perform the duties of the PREA Coordinator. The philosophy of the entire Sheriff’s Office is toward zero tolerance for sexual abuse or harassment of the inmates confined in their jail.

Standard 115.12 Contracting with other entities for the confinement of inmates

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

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

The facility does not contract with outside agencies for security of the inmates. Therefore this standard does not apply for this jail.

Standard 115.13 Supervision and monitoring

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

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 J150.01, J30.07 and J40.08 which pertain to this standard. The facility has a staffing plan along with well-defined job descriptions and post orders. The staffing plan was reviewed in January 2017 and reviewed at least yearly. The facility never varies from the staffing plan; officers are mandated to work overtime to cover the posts. Because of the small size of the facility, supervisors frequently work alongside housing officers. The facility maintains logs of events when supervisory staff visits the housing units. The jail has 91 video cameras. The Jail Administrator and the Assistant Jail Administrator have access to and frequently review video footage on their personal computers. Interviews with line staff confirm that supervisors make unannounced checks in the facility.

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 Faribault County Jail is limited to holding youthful inmates for a maximum of 24 hours, excluding weekends and legal holidays. The facility has housing available for these inmates that maintains sight and sound separation from the adult population of the jail. The facility is able to allow these inmates to participate in recreational programming using a secure hallway that also maintains sight and sound separation.

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.

The jail adheres to Policy J150.09 in order to comply with this standard. Staff members do not perform cross-gender searches of inmates. Housing Officers announce their presence when entering housing units of inmates of the opposite gender. Interviews with officers and inmates confirm that staff members follow this practice and that officers are trained on how to correctly perform searches. There were no inmates meeting LGBTI definitions during the audit.

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

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

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

The facility has posters available in both English and Spanish that provide information to inmates on their zero tolerance policy and on how

to report incidents or allegations of sexual abuse/harassment. The jail utilizes “ELSA RTT Mobile” <http://rttmobile.com/> to assist them in translation services for non-English speaking inmates. There were no disabled or non-English speaking inmates in custody during the audit.

Standard 115.17 Hiring and promotion decisions

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

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

The Sheriff’s Office performs criminal background checks on all employees, contractors and volunteers that may have contact with inmates. All employees, applicants, volunteers and or contractors are obligated to sign a self-declaration form that asks questions 1, 2 and 3 from letter (a) of this standard. This self-declaration form is used during yearly and probationary evaluations also. Policy J150.08 refers to this standard. Interviews with supervisory staff indicated that they would provide information on sustained allegations to other agencies on former employees at the agencies request.

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.

Faribault County Jail recently upgraded the video surveillance cameras, monitors and recording devices to enhance the safety of the inmates confined. Interviews with the Sheriff, Chief Deputy and the Jail Administrator confirmed that PREA considerations were factored into the decision to upgrade the system.

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 J150.04 covers this standard. Sexual abuse victims would be transported to “United Health District Hospital” in Blue Earth Minnesota <http://www.uhd.org/emergency-care.php> to receive forensic examinations. An interview with a representative from the Emergency Department at the Hospital confirmed that they would perform forensic exams on any victim from the Faribault County Jail. Victim advocacy would be provided by the Faribault County Attorney’s Office, an interview with the victim advocate affirmed that they would provide services to inmate victims.

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.

Jail Policy J150.04 and J150.12 ensures that any and all incidents or allegations of sexual abuse or sexual harassment would be investigated and referred to the Faribault County Sheriff’s Office for investigation if they were potentially criminal acts. The jail has contact information on its web-site http://frcsd.org/index.php?option=com_content&view=article&id=22&Itemid=23 There have been no criminal investigations in this audit period.

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 J150.11 and J40.03 concern staff training. Officers have received training with a curriculum consistent with the requirements of this standard. The training is documented and interviews with staff members indicated that they have received and comprehend the training.

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 facility has documents confirming that volunteers and contract persons have received training on the zero tolerance policy and how to respond to and report any incidents or allegations reported to them by inmates. Interviews with 3 volunteers prove that they have received and comprehend the correct procedures that they have been taught.

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.

Policy J150.10 refers to inmate education. Inmates receive education on how to report and that they have the right to be free from sexual abuse/harassment or retaliation. The facility has English and Spanish posters in the housing units and inmates are given a handbook that informs inmates of this same information. Inmates receive this information at the time of intake. Inmates sign a Certificate of Understanding of the information presented to them. Inmates indicated through interviews that they received the information during the intake process.

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 facility Administrative Investigators and the Detective from the Sheriff’s Office assigned to Criminal investigations have received specialized training through the NIC on-line training course for investigations in confinement settings.

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 “Advanced Correctional Healthcare Inc” <https://www.advancedch.com/company/> to provide medical services. An interview with one of the nurses showed that they were trained on how to detect, respond and report sexual abuse. Forensic exams would occur at the local hospital.

Standard 115.41 Screening for risk of victimization and abusiveness

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

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 J150.02 pertains to PREA screening. The facility has established and utilizes a comprehensive screening tool to detect inmates that may be vulnerable to sexual victimization or those that may be a potential sexual abuser. The jail also uses a PREA Re-classification tool to detect vulnerability and aggressiveness when doing 30 day re-classification or when other circumstances require re-classification. Intake officers confirmed through interviews that this screening took place during the intake process.

Standard 115.42 Use of screening information

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

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

The jail has a classification policy J80.15 and procedures to follow to choose housing assignments. The officers utilize information from the PREA screening tool to determine the safest unit to house inmates. The jail has not had a transgender or intersex inmate incarcerated in this audit period and would consider all inmates own view safe placement for them.

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 would use protective custody for high risk inmates only for the least amount of time as possible. These inmates would be offered programming opportunities. Supervisors review segregation status inmates every 7 days.

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.

Inmates indicated through interviews that they were aware of several ways to make reports to custody staff or supervisors and that they could make such reports privately if needed. There are toll-free phone numbers posted in the housing units for inmates to make anonymous reports to a private office if they wish to do so. Staff members stated that they could make reports privately and that they would accept and document any third-party reports that they may receive.

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 facility has a policy and practice of responding to any grievance that pertains to sexual abuse or sexual harassment as an emergency grievance and would act upon that information immediately. Inmates are made aware of this procedure.

Standard 115.53 Inmate access to outside confidential support services

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

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

The jail has a signed memoranda of understanding with the Faribault County Attorney's Office Victim/Witness Coordinator to provide victim advocate services to any inmate. The agreement states that the victim advocate would assist the victim through any forensic exams and criminal investigations. The facility has this advocate's phone number in conspicuous areas throughout the jail.

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 posted on their web-site http://frcsd.org/index.php?option=com_content&view=article&id=22&Itemid=23 The jail has a poster in it's public lobby with third-party reporting information and phone numbers. Custody staff and supervisors all stated that they would accept, report and respond to any third-party reports immediately.

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.

Staff members are trained on Policy J150.03 and when interviewed they stated that knew that they were obligated to report any and all incidents and or allegations of sexual abuse and harassment to supervisors immediately. Staff also understood that they are mandatory reporters under Minnesota State Law to report incidents that occurred when an individual was under the age of 18.

Standard 115.62 Agency protection duties

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

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

Interviews with all staff members proved that they consider the inmate's safety top priority in any situation and would respond to an imminent risk immediately.

Standard 115.63 Reporting to other confinement facilities

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

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

The jail's screening tool has directions for staff to notify a supervisor immediately if an inmate discloses that they were sexually abused in another confinement facility. Per Policy J150.06 and J150.03 the supervisor is then responsible to notify the other agency of the report as soon as possible.

Standard 115.64 Staff first responder duties

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

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

The facility has established a Sexual Assault Response Team. The officers have a Sexual Abuse and a Sexual Harassment Checklist to assist in correctly responding to an incident. Policy J150.07 outlines the approach officers should use. Interviews with staff members confirmed that they took inmate safety and medical assistance into consideration first but also knew how to maintain a secure 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.

Policy J150.07 along with the incident checklist gives guidance to officers to initiate a response to an incident and notify all persons that have responsibilities in responding to an incident. Staff interviews revealed that they were well aware of the correct protocols to follow in response to a sexual abuse incident.

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.

Custody staff of the Faribault County Jail work under a collective bargaining agreement. Nothing in that contract prohibits employees from being disciplined up to and including termination for criminal acts. The Sherriff confirmed this fact.

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 J30.03 spells out rules of conduct for staff members and prohibits retaliation. Supervisory staff stated that they would monitor inmates for retaliation for their entire stay in the facility.

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 has Policy J110.07 that spells out that inmates will only be placed into segregated housing for as short a time as possible. The facility has never had to segregate an inmate to protect them from sexual abuse.

Standard 115.71 Criminal and administrative agency investigations

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

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

The jail would utilize investigators from the Sheriff’s Office <http://frcsd.org/> to perform criminal investigations. These investigators have received training through “Corner house” <http://www.cornerhousemn.org/forensicinterviews.html> and are well trained and experienced in investigation sexual assault cases. Investigations would be referred to the Faribault County Attorney’s Office for prosecution. Interviews confirmed that the detective assigned to in-custody investigations is well qualified. Jail policy J150.12 also pertains to this standard.

Standard 115.72 Evidentiary standard for administrative investigations

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

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

An interview with the Faribault County Sheriff’s Office Detective and the Jail Administrator confirmed adherence to this standard.

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 J150.12 gives direction to keep inmates apprised of the results and determinations of and investigation. The jail has a form that is signed by an inmate as acknowledgement of receipt of information pertaining to an 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.

County policy 12.5, Jail policy J30.09 and J150.08 all define discipline for offending staff members up to and including termination. The Collective Bargaining Agreement between Faribault County and custody staff contains language that members may be disciplined up to and including termination for misconduct. The Sheriff assured me that criminal acts by employees would be investigated and referred for prosecution.

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.

Contractors and or volunteers would be removed from the facility and not allowed to return. The Jail Administrator would assure criminal

investigations if necessary and would not tolerate sexual abuse or harassment by one of these individuals.

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 facility provides inmates with a handbook that details misconduct on their part and describes disciplinary measures that may be taken. These rules and sanctions are also found in policy J110.12. The jail follows a due process procedure when determining disciplinary actions.

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.

Jail policy J150.02 covers this standard. The PREA screening tool obligates intake officers to notify medical staff of any reported victimization or abusiveness. The medical provider provides the jail with mental health services. Medical staff indicated to me that they receive the referrals from custody staff and meet with and provide services to inmates requesting such.

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.

Inmates needing emergency medical attention would be transported to “United Health District” <http://www.uhd.org/> emergency room in

Blue Earth Minnesota. An interview with the Advanced Correctional Healthcare jail nurse confirmed that they would provide free services to the victim.

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

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

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

The facility would provide on-going medical services to inmates consistent with this standard. Interviews with a nurse and the PREA Coordinator showed that all measures would be taken to provide services even if outside medical facilities needed to be utilized.

Standard 115.86 Sexual abuse incident reviews

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

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

The jail has established an incident review team with 8 members. Incident review team members have completed an on-line training course sponsored by the National Institute of Corrections concerning investigation in a confinement setting. The team has a PREA Staff Incident Involvement form, a PREA Administrative Investigation Report form and PREA Incident Review Report form. All of these instruments are designed to assist the facility in assessing any incident or allegations and are designed to help deter any possible similar incident in the future.

Standard 115.87 Data collection

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

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

corrective actions taken by the facility.

The jail has a PREA incident tracking log that it utilizes to collect and maintain data concerning sexual abuse or sexual harassment incidents. The facility also maintains all reports, video, witness statements and any documents that pertain to such incidents in electronic and paper formats. The facility is prepared to respond if requested to complete and satisfy any request for such information from the Department of Justice.

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 Faribault County Jail posts its collected data on its web-site

http://frcsd.org/index.php?option=com_content&view=article&id=22&Itemid=23 including a summary of data collected and any corrective actions taken to achieve its zero tolerance policy.

Standard 115.89 Data storage, publication, and destruction

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

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

The jail abides by policy J100.01, MN State Statute 609.344 and MN Rule 2911.2100 along with Federal Regulations pertaining to data preservation. Any publicly posted data will have personal information redacted to protect privacy. The jail posts its aggregated sexual abuse data on its web-site http://frcsd.org/index.php?option=com_content&view=article&id=22&Itemid=23

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

Auditor Signature

June 12, 2017

Date