

# PREA AUDIT: AUDITOR'S SUMMARY REPORT

## ADULT PRISONS & JAILS



<b>Name of facility:</b>		Maleng Regional Justice Center (MRJC)	
<b>Physical address:</b>		620 West James Street, Kent WA 98032	
<b>Date report submitted:</b>		October 11, 2014	
<b>Auditor Information</b>		<b>Katherine Brown</b>	
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<b>Telephone number:</b>		727-470-4123	
<b>Date of facility visit:</b>		May 14-16, 2014	
<b>Facility Information</b>			
<b>Facility mailing address:</b> <i>(if different from above)</i>			
<b>Telephone number:</b>			
<b>The facility is:</b>	<input type="checkbox"/> Military	<input checked="" type="checkbox"/> County	<input type="checkbox"/> Federal
	<input type="checkbox"/> Private for profit	<input type="checkbox"/> Municipal	<input type="checkbox"/> State
	<input type="checkbox"/> Private not for profit		
<b>Facility Type:</b>	<input checked="" type="checkbox"/> Jail	<input type="checkbox"/> Prison	
<b>Name of PREA Compliance Manager:</b>		Todd Clark	<b>Title:</b> Major
<b>Email address:</b> <a href="mailto:Todd.Clark@kingcounty.gov">Todd.Clark@kingcounty.gov</a>			<b>Telephone number:</b> 206-477-2804
<b>Agency Information</b>			
<b>Name of agency:</b>		King County Department of Adult and Juvenile Detention (DAJD)	
<b>Governing authority or parent agency:</b> <i>(if applicable)</i>		King County	
<b>Physical address:</b>		620 West James Street, Kent WA 98032	
<b>Mailing address:</b> <i>(if different from above)</i>			
<b>Telephone number:</b>		206-296-1234	
<b>Agency Chief Executive Officer</b>			
<b>Name: William Hayes</b>		<b>Title:</b>	Department Director
<b>Email address:</b> <a href="mailto:William.Hayes@kingcounty.gov">William.Hayes@kingcounty.gov</a>		<b>Telephone number:</b>	206-477-6514
<b>Agency-Wide PREA Coordinator</b>			
<b>Name: Danotra McBride</b>		<b>Title:</b>	Project/Program Manager IV
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# AUDIT FINDINGS

## **NARRATIVE:**

The audit of Maleng Regional Justice Center (MRJC) was conducted on May 14-16, 2014 by Katherine Brown, Certified PREA auditor. The areas toured were a total of 17 housing units. There is a 32 bed medical unit; 5 medium general population males/female tanks; 3 minimum male/female units; one 64 bed Close security unit; 2 segregation units; 1 receiving unit housing 32 inmates; one drug program unit housing 64 and one inmate worker unit housing 64 inmates. Plus the kitchen, laundry, programs area, and work areas.

An entrance meeting was held with facility staff. The following people were in attendance: Warden/Commander Edwin Bautista and Danotra McBride, Project/Program Manager.

Following the entrance meeting I toured the Maleng Regional Justice Center from 01:30 pm to 03:45 pm. On the tour with me was, Commander Bautista and Danotra Mc Bride.

The night before the audit I asked for an alpha listing of all inmates housed at the facility and randomly selected one inmate from each housing unit, I interviewed two non-English speaking inmate and one deaf inmate using a sign language interpreter. I also asked for a shift roster and randomly selected one officer from each housing unit. I interviewed fourteen random staff interviews; two intake officers; 2 court officers; one classification clerk and two Volunteer/Contractor.

I reviewed training records; personnel files and medical records to confirm the standards.

There were nine sexual assault/harassment allegation cases, all relatively recent (within the past year) four had been unfounded; three unsubstantiated; two substantiated. (It should be noted the nine cases I reviewed were for both King County Correctional Facility and Maleng Regional Justice Center).

## **DESCRIPTION OF FACILITY CHARACTERISTICS:**

The Department of Adult and Juvenile Detention (DAJD) is one component in the complex, inter-related structure of the King County criminal justice system. The Department is responsible for almost 34,000 bookings a year and houses a daily average of 1,900 pre-and post-adjudicated misdemeanants and felons. The Department also contracts to house misdemeanants from cities, and the state. DAJD operates two adult detention facilities, the Maleng Regional Justice Center (MRJC) in Kent which opened in 1997 and the King County Correctional Facility (MRJC) in downtown Seattle which opened in 1986. The adult facilities house inmates who are awaiting trial or who have been sentenced by the court to one year or less of incarceration.

King County Regional Justice Center Seattle WA, and is part of the King County Criminal Justice Complex. It is a single story direct supervision facility which opened in 1997 and houses 896 inmates. The facility is located next to the courthouse in Kent Washington. The jail and court house are attached by a tunnel. Security at the jail is appropriate for the security level of inmates housed there. Staff have access to doors using a secure card access. All movement through the facility is controlled by central control. Visitors must register and provide a photo ID in order to receive a visitor's badge. There are several housing units housing anywhere from

32 to 64 beds. There are three 64 bed minimum security level male/female units; four 64 bed medium security level units; one 115 bed medium security level unit; one 64 bed inmate worker unit; one 64 bed drug treatment program unit; one 64 bed close security unit; one 32 bed receiving unit; one 32 bed medical female unit and 2 segregation units.

**SUMMARY OF AUDIT FINDINGS:**

Number of standards exceeded: 4

Number of standards met: 39

Number of standards not met:

**Standard number here** 115.11 Zero Tolerance

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

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

6.04.001 Policy statement (1-3) A 2 &3. Based on interview with PREA Coordinator and PREA compliance manager Major and Warden/Commander and review of organizational chart;

Maleng Regional Justice Center has a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment and outlines Maleng Regional Justice Center's approach to preventing, detecting, and responding to such conduct.

The agency employs an upper-level, agency-wide PREA coordinator with sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards.

There is a designated PREA compliance manager with sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards.

**Standard number here** 115.12 Contracting with other agencies for confinement of inmates

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

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

6.04.001 A 2 a. Based on interview with agency's contract compliance manager and review of DOC contract page 13; Reviewed new contract with Pierce County Sheriff's Department.

All contracts include the entity's obligation to adopt and comply with the PREA standards.

Any new contract or contract renewal provides for agency contract monitoring to ensure that the contractor is complying with the PREA standards.

**Standard number here** 115.13 Supervision and monitoring

- X. Exceeds Standard (substantially exceeds requirement of standard)

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

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

6.04.001 A.4 and 1.02.010 A 1-6 and 4.01.019 A 7. Based on interview with Warden/Commander; PREA Compliance Manager and PREA Coordinator and review of PREA planned coverage variance; staffing plan; CO Dream sheet Coverage Plan; 2013/14 CT Coverage Plan and Parameters; 2013/14 Sgt. Coverage plan and parameters; 2014 Budget deployment. Security/Surveillance log/detention- surveillance log.

Maleng Regional Justice Center has developed, documented, and made its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing and uses video monitoring, to protect inmates against sexual abuse.

In circumstances where the staffing plan was not complied with, the facility documented and justified all deviations from the plan.

Maleng Regional Justice Center completes an annual review, in consultation with the PREA coordinator required by § 115.11, to assess, determine, and document whether adjustments are needed.

<b>Standard number here</b>	115.14 Youthful inmates
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)
- Not Applicable

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

A youthful inmate shall not be placed in a housing unit in which the youthful inmate will have sight, sound or physical contact with any adult inmate through use of shared dayroom or other common space, shower area or sleeping quarters. Juveniles currently are housed with the adults. During the Corrective Action period cameras, monitoring, blinds and doors were installed in Mary East and Nora West before housing juveniles there. Housing will be determined by the number of juveniles/youthful inmates in secured population – if there are 4 or less, they will be housed in Mary East.

<b>Standard number here</b>	115.15 Limits to cross gender viewing and searches
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- Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

4.01.004 A 1 & B; 4.01.004 and 1.03.033; 6.03.007 B-4 A-5 based on interview of random staff and inmates and review of strip search record; CO Job Description Announcement; Code of Ethics; Notice to all Professionals & Volunteers 1-24-14; PREA standards-employment Promo Process; Lesson plan Cross gender pat searches; training rosters: As of April 20 85% of staff trained.

The facility does not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners. In the event a cross gender search is done the facility documents all cross-gender strip searches and cross-gender visual body cavity searches.

The facility has policies and procedures that enable inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Such policies and procedures are require staff of the opposite gender to announce their presence when entering an inmate housing unit. Upon the interviews with staff and inmates it was discovered that not all staff are following the procedure. Most inmates and staff interviewed stated staff did not make an announce. As I moved through the housing units I was not announced nor was the PREA Coordinator.

During the Corrective Action period DAJD has initiated random spot checks by supervisory staff to monitor and improve compliance with this requirement at both facilities. It is the expectation that officers make this announcement as outlined in policy, and DAJD plans to conduct quality studies/checks to measure, monitor and improve adherence to policy.

The facility does not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it is determined during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner.

Maleng Regional Justice Center trains security staff in how to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

<b>Standard number here</b>	115.16 inmates with disabilities and limited English speaking
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- Exceeds Standard (substantially exceeds requirement of standard)
- X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

6.01.012; 6.04.001; 7.01.001 (1) (3); 7.08.001 (1) (4) Based on random inmate and staff interviews and based on interview with limited English speaking inmates and review of staff language stipend; Language bank 1-800-643-2255; PREA video information; PREA PowerPoint.

Maleng Regional Justice Center takes appropriate steps to ensure inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of Maleng Regional Justice Center’s efforts to prevent, detect, and respond to sexual abuse and sexual harassment. DAJD currently has the Inmate Handbook available in English and Spanish languages. During interview with deaf and limited English speaking inmate it was discovered that they did not receive the same training as the general population inmates. During the Corrective Action period MRJC as of April 6, 2014 begun issuing Inmate Handbooks in the inmate bedrolls so all receive a copy. To improve inmate comprehension and understanding of PREA, they have updated the Inmate Orientation Video (including the PREA portion) and add closed captioning for deaf inmates. There is also a full video translated into Spanish for the largest limited-English speaking population. They have also added closed captioning to the existing version of the PREA Inmate Orientation Video as a resource for the hearing impaired population. DAJD also has access to an Emergency Sign Language Interpreter Program (ESLIP) via Jail Health Services that can be accessed as needed.

Maleng Regional Justice Center takes reasonable steps to ensure meaningful access to all aspects of Maleng Regional Justice Center’s efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

Maleng Regional Justice Center does not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate’s safety, the performance of first-response duties under § 115.64, or the investigation of the inmate’s allegations.

**Standard number here** 115.17 Hiring and promotion decisions

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

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

1.03.016 4.b. (3 & 5) a; 1.03.052. Based on interview with Human Resource Director and Interview with the Captain in charge of investigations whose job it is to run the criminal histories. Also review of personnel files, 5yr. tracking spreadsheet log and review of PREA employment/Promotional Process signature sheet

Maleng Regional Justice Center does not hire or promote anyone who may have contact with inmates, and does not enlist the services of any contractor who may have contact with inmates, who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution, has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or has been civilly or administratively adjudicated to have engaged in the activity described above.

Maleng Regional Justice Center considers any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.

Maleng Regional Justice Center performs a criminal background records check before enlisting the services of any contractor who may have contact with inmates.

Maleng Regional Justice Center conducts criminal background records checks at least every five years of current employees and contractors who may have contact with inmates.

<b>Standard number here</b> 115.18 Upgrades to facilities and technology
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- X. Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on interview with Director and Major, review of camera upgrades as a result of DoJ audit 6 years ago. As a result of this audit they received funding for 170 new cameras between the two facilities. There are over 300 cameras at RJC.

When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, Maleng Regional Justice Center considers how such technology may enhance Maleng Regional Justice Center’s ability to protect inmates from sexual abuse. There have been no substantial or modifications to existing facilities.

<b>Standard number here</b> 115.21 evidence protocol and forensic medical exams
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- Exceeds Standard (substantially exceeds requirement of standard)
- X. Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

J.B.05; 6.04.001 B-3; JB-05. Based on interview with SANE/SAFE staff and PREA compliance manager and review of Harborview Medical Center; WA state recommended guidelines for Sexual Assault Emergency Medical Evaluation; Harborview Brochure; viewed website <http://dept.washington.edu/hcsats/resource.html#program>; MOU between King County & King County Sexual Assault Resource Center; MOU between KC Dept. of Adult/Juvenile & KC Sheriff's Office; MOU between KC Dept. of Adult/Juvenile & Seattle Police Department. Conducted a telephone interview with Director of KSARC.

To the extent Maleng Regional Justice Center is responsible for investigating allegations of sexual abuse, Maleng Regional Justice Center follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions

Maleng Regional Justice Center offers all victims of sexual abuse access to forensic medical examinations, through King County Sexual Assault Resource Center, without financial cost, where evidentiary or medically appropriate. Such examinations are performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs).

Maleng Regional Justice Center makes available to the victim a victim advocate from a rape crisis center.

As requested by the victim, a victim advocate accompanies and supports the victim through the forensic medical examination process and investigatory interviews and are provide emotional support, crisis intervention, information, and referrals.

<b>Standard number here</b>	115.22 referrals of allegations for investigations
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- Exceeds Standard (substantially exceeds requirement of standard)
- X. Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

1.05.001; 6.04.001 A-12 & 13; 1.05.001 Special Investigative Unit; SOP Sexual Assault Unit. Based on interview with Director and investigative staff; reviewed nine investigative files. Posted on [www.kingcounty.gov/courts/detention/PREA](http://www.kingcounty.gov/courts/detention/PREA)

Maleng Regional Justice Center ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.

Maleng Regional Justice Center has a policy that ensures allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potential criminal behavior. Maleng Regional Justice Center publishes such policy on its website. Maleng Regional Justice Center documents all such referrals.

<b>Standard number here</b> 115.31 Employee training
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X. Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

1.07.004; 6.04.001 A-5. Based on interview with random staff and review of New Employee Orientation from <http://nicic.gov/library/prea> and sign in sheets. All new DAJD employees receive detailed PREA training in person at new employee orientation.

Maleng Regional Justice Center trains all employees who have contact with inmates on:

- (1) Its zero-tolerance policy for sexual abuse and sexual harassment;
- (2) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;
- (3) Inmates' right to be free from sexual abuse and sexual harassment;
- (4) The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
- (5) The dynamics of sexual abuse and sexual harassment in confinement;
- (6) The common reactions of sexual abuse and sexual harassment victims;
- (7) How to detect and respond to signs of threatened and actual sexual abuse;
- (8) How to avoid inappropriate relationships with inmates;
- (9) How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and
- (10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

The training is tailored to the gender of the inmates at the facility.

Maleng Regional Justice Center documents, through employee signature that employees understand the training they have received.

<b>Standard number here</b> 115.32 Volunteer and contractors training
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X. Exceeds Standard (substantially exceeds requirement of standard)

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

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

6.04.001 A-6 Based on interview with volunteer and contractors and review of Volunteer Contractor Training; signed acknowledgement sheet; Training for Contracted Professionals. Training is also provided to court personnel, maintenance staff not employed by DAJD i.e. air conditioner repairman, plumbers any outside contractor coming into the facility.

Maleng Regional Justice Center ensures all volunteers and contractors who have contact with inmates have been trained on their responsibilities under Maleng Regional Justice Center’s sexual abuse and sexual harassment prevention, detection, and response policies and procedures.

The level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with inmates, but all volunteers and contractors who have contact with inmates are notified of Maleng Regional Justice Center’s zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.

Maleng Regional Justice Center has documentation confirming that volunteers and contractors understand the training they have received.

<b>Standard number here</b>	115.33 Inmate education
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

6.01.012 A-8; 6.04.001 B. 1; 7.08.00 Based on interview with random inmates and intake staff; review of PowerPoint; Intake video; Inmate Handbook pg. 2-4; PREA education at Intake signed sheet; Language stipend; and posters

During the intake process, inmates receive information explaining Maleng Regional Justice Center’s zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment.

Within 30 days of intake, Maleng Regional Justice Center provides a comprehensive education to inmates both in person and through video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents. There is no evidence of a comprehensive education, they show a video

however, this is not comprehensive when the inmates do not understand what is being showed.

During my interview with 10 non English speaking inmates and one deaf inmate, who was able to read lips none of them were able to tell me what PREA was nor did they know how to report it. The deaf inmate said that he is very frustrated by the fact of his limited ability to communicate and needed a sign language interpreter. The true non English speaking inmates do not understand the written material they are provided and the video is in English. The education level of these individuals may be an issue as well, so they don't have the ability to read and understand what they are reading.

During the Corrective Action period DAJD currently has the Inmate Handbook available in English and Spanish languages. As of June 2, 2014 they have begun issuing Inmate Handbooks in the inmate bedrolls so all receive a copy. To improve inmate comprehension and understanding of PREA, they have updated the Inmate Orientation Video (including the PREA portion) and added closed captioning for deaf inmates. There is also a full video translated into Spanish for the largest limited-English speaking population. They have also added closed captioning to the existing version of the PREA Inmate Orientation Video as a resource for the hearing impaired population. DAJD also has access to an Emergency Sign Language Interpreter Program (ESLIP) via Jail Health Services that can be accessed as needed.

<b>Standard number here</b> 115.34 Specialized training: Investigators
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

6.04.001 A-5; Based on interview with investigative staff and review of NIC course PREA Investigating Sexual Abuse in a Confinement Setting; IIU & SIU Staff training

In addition to the general training provided to all employees Maleng Regional Justice Center ensures that the in house investigators have received training in conducting such investigations in confinement settings.

Specialized training includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. Maleng Regional Justice Center maintains documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations.

**Standard  
number here**

115.35 Specialized training: Medical and mental health care

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Seattle King County Jail Health Services Policy J-C-09; review of JHS PREA training Preventing & Responding to Inmate Sexual Victimization 3/24/14

Maleng Regional Justice Center ensures that all full and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: how to detect and assess signs of sexual abuse and sexual harassment; how to preserve physical evidence of sexual abuse; how to respond effectively and professionally to victims of sexual abuse and sexual harassment; and how and to whom to report allegations or suspicions of sexual abuse and sexual harassment.

Maleng Regional Justice Center maintains documentation that medical and mental health practitioners have received the training.

Medical and mental health care practitioners also receive the training mandated for employees under 115.31 or for contractors and volunteers under § 115.32.

**Standard  
number here**

115.41 Screening for risk of victimization and abusiveness

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

6.01.002; 6.01.005 A-1; J.B.05 (9/3/13); 6.04.001 B. 1. (c ); 6.01.005 A-2. Based on interview with random inmates and intake staff responsible for screening. Review of Score Sheets and Risk Determination Factors. Per Classification interview inmates are seen within seven days and then every 30 days.

All inmates are assessed during an intake screening and upon transfer to another facility for risk of being sexually abused by other inmates or sexually abusive toward other inmates.

Intake screening ordinarily takes place within 72 hours of arrival at the facility.

Such assessments are conducted using an objective screening instrument.

The intake screening considers, at a minimum, the following criteria to assess inmates for risk of sexual victimization:

- (1) Whether the inmate has a mental, physical, or developmental disability;
- (2) The age of the inmate;
- (3) The physical build of the inmate;
- (4) Whether the inmate has previously been incarcerated;
- (5) Whether the inmate's criminal history is exclusively nonviolent;
- (6) Whether the inmate has prior convictions for sex offenses against an adult or child;
- (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
- (8) Whether the inmate has previously experienced sexual victimization;
- (9) The inmate's own perception of vulnerability; and
- (10) Whether the inmate is detained solely for civil immigration purposes.

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

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

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

Inmates are not disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked.

Maleng Regional Justice Center implements appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates. Only limited staff have access to the risk screening form Medical, Mental Health and Major as well as PREA Manager.

<b>Standard number here</b> 115.42 Use of screening information
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

6.04.001 B. 2 (a) (b); 6.01.005 pg. 1&2; 6.03.007 D. (1-7), Based on interview with PREA compliance manager and staff responsible for risk screening.

In deciding whether to assign transgender or intersex inmates to a facility for male or female inmates and in making other housing and programming assignments, Maleng Regional Justice Center considers on a case by case basis whether a placement would ensure the inmates health and safety and whether placement would present management or security problems. It is the practice of Maleng Regional Justice Center to place transgender and intersex inmates automatically in segregation. They have a very good policy in place however there is no evidence it is in practice. Transgender and intersex inmates need to be given the option of going to general population. They cannot be segregated just because of their sexual orientation. Maleng Regional Justice Center needs to train all management staff on this policy and ensure that every available housing option is considered.

Placement and programming assignments for each transgender or intersex inmate is reassessed at least twice a year to review any threats to safety experienced by the inmate.

A transgender or intersex inmate's own view with respect to his or her own safety shall be given serious consideration. The one transgender inmate I interviewed stated she wanted to go to general population, when asked which housing unit she wanted to go to she said male housing because she understood the problem with going to the female unit. This is in your policy but not currently in practice.

Transgender and intersex inmates are given the opportunity to shower separately from other inmates.

Maleng Regional Justice Center uses information from the risk screening to decide housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.

Maleng Regional Justice Center makes individualized determinations about how to ensure the safety of each inmate.

All of this is in policy but none of it is in practice: During Corrective Action period DAJD developed and completed Transgender Policy training for all supervisor-level staff up to the Director, and all Classifications staff. In addition to providing this training, several managers recently attended a LGBTQ Panel discussion on June 11<sup>th</sup>, 2014 to help inform the training plans. As of August 28, 2014 training on the Transgender policy was initiated and all supervisory personnel and classification staff have gone through this training to ensure the PREA standard as well as agency policy is adhered to.

**Standard number here**

115.43 Protective custody

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

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

6.04.001 B. 2. C.; 6.03.001 B 2. (b). Based on interview with Major, staff who supervise segregated inmates.

Inmates placed in segregated housing for LGTBI, have access to programs, privileges, education and work opportunities to the extent possible. If MRJC restricts access to programs, privileges, education or work opportunities, MRJC shall document: the opportunities that have been limited; the duration of the limitations and the reasons for such limitations. According to the interview with the transgender and bi-sexual inmate they are not afforded the same opportunities as GP. During the Corrective Action period on June 9<sup>th</sup>, 2014 DAJD managers and leadership discussed the need to follow their policy and allow LGBTI inmates the opportunity to be housed in GP. It is their intent to proceed with this as an option for their LGBTI inmates and not place them in segregated housing based solely on their LGBTI status. Also, the DAJD Training Sergeant was tasked with researching how other correctional facilities manage their protective custody population to provide DAJD with additional ideas and information on how best to manage this population.

MRJC shall assign such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days. During the Corrective Action period a new procedure was put in place that states "Within 72 hours of becoming aware of a transsexual, transgender, intersex or gender variant inmate within a Department facility, the Corrections Programs Administrator (CPA) (or designee), and a Corrections Captain, shall meet with the Psychiatric Services Provider (or designee), and the JHS Medical Director (or designee) to assess the inmate's medical, psychological and housing needs. All guidelines laid out within this policy shall be considered in an attempt to determine the inmate's vulnerability and to ensure the least restrictive housing placement."

Inmates at high risk for sexual victimization are not placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers.

<b>Standard number here</b> 115.51 Inmate reporting
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- Exceeds Standard (substantially exceeds requirement of standard)
- X. Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

5.02.003 C. 1; 6.04.001 A (8-9) Based on interviews with random staff and inmates and review of Inmate Handbook pgs. 2-4; Ombudsman's Office report of incident #1716631; King County Sexual Assault Resource Center.

Maleng Regional Justice Center provides multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for

reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.

Maleng Regional Justice Center provides at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of Maleng Regional Justice Center, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. Inmates detained solely for civil immigration purposes are provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security.

Staff accept reports made verbally, in writing, anonymously, and from third parties and are promptly document any verbal reports.

Maleng Regional Justice Center provides a method for staff to privately report sexual abuse and sexual harassment of inmates.

<b>Standard number here</b> 115.52 exhaustion of administrative remedies
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

6.04.002 A (9) (13) & B (4&5); D 1 (e ) and E (1-3) Review of grievances.

Maleng Regional Justice Center does not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse.

Maleng Regional Justice Center does not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse.

Maleng Regional Justice Center ensures that an inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and such grievance is not referred to a staff member who is the subject of the complaint.

Maleng Regional Justice Center issues a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance.

Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, are permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse, and are also be permitted to file such requests on behalf of inmates.

Maleng Regional Justice Center has established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse.

After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, Maleng Regional Justice Center immediately forwards the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action is taken, and provides an initial response within 48 hours, and issues a final agency decision within 5 calendar days. The initial response and final agency decision documents Maleng Regional Justice Center's determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

Maleng Regional Justice Center may discipline an inmate for filing a grievance related to alleged sexual abuse only where Maleng Regional Justice Center demonstrates that the inmate filed the grievance in bad faith.

<b>Standard number here</b> 115.53 Inmate access to outside confidential support services
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

6.04.001 B 3 a. 10. Based on interview with random inmates and review of Harborview Center for Sexual Assault & Traumatic Stress; MOU between King county & King County Sexual Assault Resource Center.

The facility provides inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations. The facility enables reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible.

The facility informs inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws. Ombudsman phone call is not recorded.

Maleng Regional Justice Center maintains a memoranda of understanding with King County Sexual Assault Resource Center.

<b>Standard number here</b> 115.54 Third party reporting
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Reviewed 3<sup>rd</sup> party reporting through KSARC, Ombudsman and Brochure

Maleng Regional Justice Center has a method to receive third-party reports of sexual abuse and sexual harassment and distributes publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate.

<b>Standard number here</b> 115.61 Staff and agency reporting duties
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

6.04.001 A. (9 & 10) & J.B.04 Federal Sexual Assault Reporting Regulations; Based on interviews with random staff; Major and medical/mental health staff. Kent Police Department conduct investigations.

Maleng Regional Justice Center requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of Maleng Regional Justice Center; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

Apart from reporting to designated supervisors or officials, staff do not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions.

If the alleged victim is under the age of 18, Maleng Regional Justice Center reports the allegation to the designated State or local services agency under applicable mandatory reporting laws.

The facility reports all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators.

<b>Standard number here</b> 115.62 Agency protection duties
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- Exceeds Standard (substantially exceeds requirement of standard)
- X. Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

6.04.001 A. 7 Based on interviews with random staff, and Major

When Maleng Regional Justice Center learns that an inmate is subject to a substantial risk of imminent sexual abuse, it takes immediate action to protect the inmate.

<b>Standard number here</b>	115.63 Reporting to other confinement facilities
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- Exceeds Standard (substantially exceeds requirement of standard)
- X. Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

6.04.001 B 3 (b) (7) (a&b ) Based on interview with Director/Major and Warden

Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of the facility that received the allegation notified the head of the facility or appropriate office of Maleng Regional Justice Center where the alleged abuse occurred.

Such notification is provided as soon as possible, but no later than 72 hours after receiving the allegation.

Maleng Regional Justice Center documents that it has provided such notification.

The facility head or agency office that receives such notification ensures the allegation is investigated in accordance with these standards.

<b>Standard number here</b>	115.64 Staff first responder duties
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- Exceeds Standard (substantially exceeds requirement of standard)
- X.Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

6.04.001 B. 3. (a); J.B.05 3 (e); J.B. 04 Federal Sexual Assault Reporting. Based on interview with security staff who are first responders, random staff and inmates who reported sexual abuse. Reviewed PREA Response Containment Checklist, implemented 1/2014 has not been needed since implementation.

Upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond to the report are: separate the alleged victim and abuser; preserve and protect any crime scene until appropriate steps can be taken to collect any evidence; if the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and if the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

If the first staff responder is not a security staff member, the responder are be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.

<b>Standard number here</b> 115.65 Coordinated response
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

MOU's with Kent Police Department and Public Health-Seattle & King County. Based on interview with Major.

The facility has a written institutional plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership.

Currently there is no written institutional plan. During the Corrective Action plan King County developed a PREA Coordinated Response Plan effective 06.12.14.

<b>Standard number here</b> 115.66 Preservation of ability to protect inmates from contact with abusers
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

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

3.01.035 A. 11. Based on interview with director and review of Code of Conduct. There are 9 guilds that MRJC has to negotiate with.

Neither Maleng Regional Justice Center nor any other governmental entity responsible for collective bargaining on Maleng Regional Justice Center's behalf entered into or renewed any collective bargaining agreement or other agreement that limits Maleng Regional Justice Center's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.

<b>Standard number here</b> 115.67 Agency protection against retaliation
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

6.04.001 A 11 & 14 & 15. Based on interview with Director, Major, HRSDM and PREA Coordinator. Reviewed DAJD PREA Retaliation Monitoring Plan. HR director is tasked with monitoring staff retaliation and the PREA Coordinator is tasked with monitoring inmate retaliation.

Maleng Regional Justice Center has a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff, and are designate which staff members or departments are charged with monitoring retaliation.

Maleng Regional Justice Center has multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

For at least 90 days following a report of sexual abuse, Maleng Regional Justice Center monitors the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff, and are act promptly to remedy any such retaliation. Items Maleng Regional Justice Center should monitor include any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. Maleng Regional Justice Center continues such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

In the case of inmates, such monitoring includes periodic status checks. Currently the inmate is seen within 72 days. PREA coordinator was advised this was too long she needed to make contact with the inmate within a week of the incident and check on the inmate's status, inform the inmate she will follow up with him in a week and if he needed her further to contact her. Than start a monthly follow up until such time as she and the inmate felt there was no longer a threat.

During the Corrective Action period On June 12<sup>th</sup>, 2014 a meeting was held to discuss how retaliation relative to PREA allegations will be monitored to adhere to standard 115.67 Agency protection against retaliation. At the meeting it was agreed that the King County Correctional Facility and Regional Justice Center retaliation monitoring responsibility would change from the PREA Coordinator and Human Resources Delivery Manager to the Investigations Unit. This retaliation monitoring is now documented on the PREA Log where other information about each PREA case is documented. In addition to this change, the Standard Operating Procedure (SOP) 6.04.001 PREA has now been updated to reflect the decision change made on 6/12/14.

If any other individual who cooperates with an investigation expresses a fear of retaliation, Maleng Regional Justice Center takes appropriate measures to protect that individual against retaliation.

<b>Standard number here</b> 115.68 Post allegation protective custody
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on interview with Major and inmates in segregation for risk of sexual victimization.

Any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse is subject to the requirements of 115.43. During the audit it was discovered it is the practice to place transgender and intersex inmates automatically in segregation. You have a very good policy in place however there is no evidence it is in practice. Transgender and intersex inmates need to be given the option of going to general population. They cannot be segregated just because of their sexual orientation. You need to train all management staff on this policy and ensure that every available housing option is considered.

During the Corrective Action period on June 9<sup>th</sup>, 2014 DAJD managers and leadership discussed the need to follow their policy and allow LGBTI inmates the opportunity to be housed in GP. It is their intent to proceed with this as an option for their LGBTI inmates and not place them in segregated housing based solely on their LGBTI status. Also, the DAJD Training Sergeant was tasked with researching how other correctional facilities manage their

protective custody population to provide DAJD with additional ideas and information on how best to manage this population.

<b>Standard number here</b> 115.71 Criminal and administrative agency investigation
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

6.04.001 ; 1.05.001 pg. 2 # 4-7 Based on interview with investigative staff and review of SOP Special Assault Unit; NIC training for investigators in Correctional Settings; IIU Manual Draft dated 4/30/14 Chapter 3 pg. 25; Letter dated 2-16-14 attempt to conduct interview of victim at other facility DOC 788958. SIU primarily does administrative investigations and Seattle Police Department conduct criminal investigations.

When Maleng Regional Justice Center conducts its own investigations into allegations of sexual abuse and sexual harassment, it does so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.

Where sexual abuse is alleged, Maleng Regional Justice Center uses investigators who have received special training in sexual abuse investigations pursuant to 115.34.

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

When the quality of evidence appears to support criminal prosecution, Maleng Regional Justice Center conducts compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

The credibility of an alleged victim, suspect, or witness is assessed on an individual basis and is not determined by the person's status as inmate or staff. No agency requires an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation.

Administrative investigations include efforts to determine whether staff actions or failures to act contributed to the abuse; and are documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.

Criminal investigations are documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible.

Substantiated allegations of conduct that appears to be criminal are referred for prosecution.

Maleng Regional Justice Center retains all written reports for as long as the alleged abuser is incarcerated or employed by Maleng Regional Justice Center, plus five years.

The departure of the alleged abuser or victim from the employment or control of the facility or agency are not provide a basis for terminating an investigation.

<b>Standard number here</b> 115.72 Evidentiary standard for administrative investigation
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on interview with investigative staff and review of IIU Manual draft dated 4/30/14 Chapter 3 pg. 25

Maleng Regional Justice Center imposes no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

<b>Standard number here</b> 115.73 Reporting to inmates
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

1.05.001 2. B. (2- 6); 6.04.001 A. 16; Based on interview with Major; investigative staff; inmate who reported sexual assault; reviewed investigative files.

Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, Maleng Regional Justice Center informs the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.

If Maleng Regional Justice Center did not conduct the investigation, they request the relevant information from the investigative agency in order to inform the inmate.

Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, Maleng Regional Justice Center subsequently informs the inmate (unless Maleng Regional Justice Center has determined that the allegation is unfounded) whenever the staff member is no longer posted within the inmate's unit; the staff member is no longer employed at the facility; Maleng Regional Justice Center learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or Maleng Regional Justice Center learns that the staff member has been convicted on a charge related to sexual abuse within the facility.

Following an inmate's allegation that he or she has been sexually abused by another inmate, Maleng Regional Justice Center subsequently informs the alleged victim whenever Maleng Regional Justice Center learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or Maleng Regional Justice Center learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

All such notifications or attempted notifications are documented. During the audit it was discovered that the inmates are not informed of the outcome, the auditor suggested a form needs to be created to ensure proper notification is made. During the Corrective Action period a new form titled SIU PREA Closure Letter Template was created.

An agency's obligation to report under this standard is terminated if the inmate is released from Maleng Regional Justice Center's custody.

<b>Standard number here</b> 115.76 Disciplinary sanctions for staff
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- Exceeds Standard (substantially exceeds requirement of standard)
- X. Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

6.04.001 A. 13 and review of Inmate Handbook

Staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.

Termination is the presumptive disciplinary sanction for staff who have engaged in sexual abuse.

Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.

All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, are be

reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.

<b>Standard number here</b> 115.77 Corrective action for contractors and volunteers
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- Exceeds Standard (substantially exceeds requirement of standard)
- X. Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on interview with Major and review of PREA Security Orientation for Contractors

Any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmates and are reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.

The facility takes appropriate remedial measures, and considers whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.

<b>Standard number here</b> 115.78 Disciplinary sanctions for inmates
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- Exceeds Standard (substantially exceeds requirement of standard)
- X. Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

6.02.002 I. 1. (h) 6.02.002 pg. 10 Rule #208. Based on interview with medical/mental health staff and review of Inmate Handbook pg. 11-13.

Inmates are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse.

Sanctions are commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories.

The disciplinary process considers whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.

Maleng Regional Justice Center disciplines an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact.

A report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred does not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.

Maleng Regional Justice Center prohibits all sexual activity between inmates and may discipline inmates for such activity.

<b>Standard number here</b> 115.81 Medical and Mental health screening; history of sexual abuse
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- Exceeds Standard (substantially exceeds requirement of standard)
- X. Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

J.B.05 ; Based on interview with staff responsible for risk screening and medical/mental health staff and review of electronic medical records; J-B-05 Procedure in the Event of Sexual Assault 12/31/13 & J.B.05 Report of History of Sexual Assault/Sexual Abuse or Harassment 8/30/13; J.B.05 Safety 8/30/13 3 (d)

If the screening indicates that an inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.

If the screening indicates that an inmate has previously perpetrated sexual abuse/prior sexual victimization, whether it occurred in an institutional setting or in the community, staff are ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening.

Any information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law.

Medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18.

<b>Standard number here</b> 115.82 Access to emergency medical and mental health services
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

6.04.001 B. 3.6.; pg. 3 e (i) (ii) (iii) J. B.05 Based on interview with medical and mental health staff and inmates who reported sexual abuse. Review of electronic medical record and MOU with Harborview Medical, by State law the sexual assault exam must be billed to and paid by Washington State Crime Victims Compensation fund.

Inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.

If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders take preliminary steps to protect the victim and are immediately notify the appropriate medical and mental health practitioners.

Inmate victims of sexual abuse while incarcerated are offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.

Treatment service is provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident

**Standard number here**

115.83 ongoing medical and mental health care for sexual abuse victims

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

J. B. 05 (3) (e ) Report of History of Sexual Assault/Sexual Abuse or Harassment; JHS SLP Report of History of Sexual Assault/Sexual Abuse. Based on interview with medical/mental health staff and inmates who reported sexual assault

The facility offers medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.

The evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody.

The facility provides such victims with medical and mental health services consistent with the community level of care.

Inmate victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate.

Treatment services are provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

<b>Standard number here</b> 115.86 Sexual abuse incident reviews
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- Exceeds Standard (substantially exceeds requirement of standard)
- X. Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

4.03.010 A.3; 6-04.001 A.17 Sexual Abuse Incident Review Committee. Based on interview with Major, PREA compliance manager; incident review team; Sexual Abuse Incident Review.

Any female who is pregnant or becomes pregnant as a result of a sexual assault are referred to the Mom’s Plus Program that provides assistance to pregnant females.

The facility conducts a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded. This review ordinarily occurs within 30 days of the conclusion of the investigation. The review team includes upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners.

The review team considers whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility; and they examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; assess the adequacy of staffing levels in that area during different shifts; assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

<b>Standard number here</b> 115.87 Data collection
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- Exceeds Standard (substantially exceeds requirement of standard)
- X. Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

6.04.001 A. 18; 2013/2014 PREA spreadsheet

Maleng Regional Justice Center collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.

Maleng Regional Justice Center aggregates the incident-based sexual abuse data at least annually.

The incident-based data collected includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.

Maleng Regional Justice Center maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

Upon request, Maleng Regional Justice Center provides all such data from the previous calendar year to the Department of Justice no later than June 30.

<b>Standard number here</b>	115.88 Data review for corrective action
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- Exceeds Standard (substantially exceeds requirement of standard)
- X. Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

6.04.001 A. 18. Based on interview with PREA coordinator and review of annual report and 2013/2014 PREA spreadsheet; review of website

Maleng Regional Justice Center reviews data collected and aggregated in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: identifying problem areas; taking corrective action on an ongoing basis; and preparing an annual report of its findings and corrective actions for each facility, as well as Maleng Regional Justice Center as a whole.

The report includes a comparison of the current year's data and corrective actions with those from prior years and are provide an assessment of Maleng Regional Justice Center's progress in addressing sexual abuse.

Maleng Regional Justice Center's report is approved by Maleng Regional Justice Center head and made readily available to the public through its website. [kingcounty.gov/courts/detention/PREA.asp](http://kingcounty.gov/courts/detention/PREA.asp)

Maleng Regional Justice Center redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.

<b>Standard number here</b> 115.89 Data storage, publication and destruction
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

6.04.001 A. 18. Review of website and review of memo dated 12-18-12 Re: IIU Investigation File Retention

Maleng Regional Justice Center ensures that data collected pursuant to § 115.87 are securely retained.

Maleng Regional Justice Center makes all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website [kingcounty.gov/courts/detention/PREA.asp](http://kingcounty.gov/courts/detention/PREA.asp)

Before making aggregated sexual abuse data publicly available, Maleng Regional Justice Center removes all personal identifiers.

Maleng Regional Justice Center maintains sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection unless Federal, State, or local law requires.

**AUDITOR CERTIFICATION:**

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

*Katherine Brown*

October 11, 2014

Auditor Signature

Date