

**PREA AUDIT REPORT INTERIM FINAL
COMMUNITY CONFINEMENT FACILITIES**



Auditor Information			
Auditor name: Gerald McCormac			
Address: PO Box 15561, Colorado Springs CO 80910			
Email: mccormacjer@gmail.com			
Telephone number: 267-679-2308			
Date of facility visit: June 27-30, 2016			
Facility Information			
Facility name: El Paso County Criminal Justice Center			
Facility physical address: 2739 East Las Vegas Street, Colorado Springs CO 80906			
Facility mailing address: (if different)			
Facility telephone number: 719-390-2000			
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		
	<input type="checkbox"/> Prison	<input checked="" type="checkbox"/> Jail	
Name of facility's Chief Executive Officer: Mitch Lincoln			
Number of staff assigned to the facility in the last 12 months: 403			
Designed facility capacity: 1,725			
Current population of facility: 1,432			
Facility security levels/inmate custody levels: Minimum, Medium, and Maximum			
Age range of the population: 18-85+			
Name of PREA Compliance Manager: Shannon Paolini		Title:	Accreditation MGR
Email address: shannonpaolini@elpasoco.com		Telephone number:	719-390-2029
Agency Information			
Name of agency: El Paso County Sheriff's Office			
Governing authority or parent agency: (if applicable)			
Physical address: 27 East Vermijo Street, Colorado Springs CO 80903			
Mailing address: (if different)			
Telephone number: 719-520-7100			
Agency Chief Executive Officer			
Name: Bill Elder		Title:	Sheriff
Email address: billelder@elpasoco.com		Telephone number:	719-520-7102
Agency-Wide PREA Coordinator			
Name: Tom Deluca		Title:	Commander
Email address: tomdeluca@elpasoco.com		Telephone number:	719-390-2433

AUDIT FINDINGS

NARRATIVE

Between June 27, 2016 and June 30, 2016, the onsite portion of the PREA audit was conducted at El Paso County Criminal Justice Center (CJC). The El Paso County Criminal Justice Center facility is a 1,725 bed co-ed jail operated by the El Paso County Sheriff's Office's Detention Bureau. The El Paso County Criminal Justice Center houses minimum, medium, and maximum security inmates.

The PREA audit notice was posted by the El Paso County Sheriff's Office Detention Bureau staff on May 16, 2016; six weeks prior to the onsite audit. No communication or correspondence from El Paso County Criminal Justice Center community corrections inmates, staff, visitors, or other third party individuals were received by this auditor related to the El Paso County Criminal Justice Center and their PREA audit.

The onsite audit commenced shortly after 9:00 am on June 27, 2016. Following a brief entrance meeting, in which the expected audit schedule and format was discussed, a tour of the El Paso County Criminal Justice Center was conducted. The tour of the El Paso County Criminal Justice Center physical plant was conducted in accordance with the PREA audit compliance tool, "Instruction for PREA Audit Tour", with emphasis on inmate housing areas, inmate shower and bathroom areas, intake area, laundry rooms, recreational areas, and other inmate accessible areas as it relates to staff's ability to monitor, supervise and otherwise detect, prevent, and deter incidents of sexual assault and sexual harassment within the facility. The El Paso County Sheriff's Office Detention Bureau staff have actively worked to minimize, if not eliminate, potential blind spots utilizing multiple tools to enhance their staff's ability to prevent, detect, and deter incidents of sexual abuse and sexual harassment within the El Paso County Criminal Justice Center. Upon conclusion of the program tour, random staff and Inmate interviews commenced.

Random and specialized staff interviews were conducted using the format and protocols for adult prison and jails available on the National PREA Resource Center's website. The interviews conducted included staff from all job classifications as well as encompassing staff from all shifts. Additionally, random interviews were conducted with the various inmate populations confined at the El Paso County Criminal Justice Center. All Inmate interviews followed the interview protocols for adult prison and jails available on the PREA resource center website. For the interview process only, an additional certified US DOJ Auditor with certifications in both adult and juvenile PREA standards, was utilized in order to attain a sufficient sample size of interviewees.

Prior to the onsite audit, and as part of the post audit review, supporting documentation provided by the El Paso County Criminal Justice Center was thoroughly reviewed. These items included but are not limited to: El Paso County Sheriff's Office Organizational Chart; El Paso County Sheriff's Office Detention Bureau Policies and Procedures; Inmate Handbooks; Contracts and agreements with local community entities and supportive services (as will be noted and named throughout this report); El Paso County Sheriff's Office Detention Bureau training records, curriculum and materials; pertinent sections of the El Paso County Sheriff's Office employee personnel file documents (background checks and training records); PREA assessments; pre-audit questionnaire; El Paso County Criminal Justice Center Standard Operating Procedures (as will be identified and referenced throughout this report), and other documentation to be referred to in the remainder of this audit report.

FACILITY CHARACTERISTICS

El Paso County Criminal Justice Center is located at 2739 East Las Vegas Street in Colorado Springs, Colorado. The El Paso CJC consist of two primary buildings with a maximum design capacity of 1,725 offenders. Per the information presented on the pre-audit questionnaire, the facility population was reported as 1,432. The El Paso County Criminal Justice Center houses both male and female offenders. There are:

- 20 single cell housing units (including medical)
- 359 multiple occupancy cells
- 14 open bay/dorm housing units
- 64 segregation cells (administrative and disciplinary)

El Paso County Criminal Justice Center provides Inmates with adequate privacy when showering, changing, or using the commodes. Overall, the facility was found to be in excellent shape and extremely clean and well organized with clear lines of sight for Detention Bureau employees.

SUMMARY OF AUDIT FINDINGS

The El Paso County Sheriff's Office Detention Bureau staff have actively worked to achieve compliance with the PREA standards resulting in exceeding the requirements of several standards. There are PREA posters posted throughout the facility which contain toll free telephone numbers and addresses for PREA reporting, information related to emotional supportive services available to El Paso County Criminal Justice Center's inmates, and the facility's zero tolerance mandates related to sexual abuse and sexual harassment. This information is also available through a variety of printed materials and available on the inmate Kiosk system. Posted throughout the housing units are third party reporting telephone numbers and other contact information for external reporting of inmate concerns. During the onsite audit the auditor was able to confirm contact with the posted tip lines from the inmate payphones.

As conveyed during the random Inmate interviews, inmates of El Paso County Criminal Justice Center are provided with the facility's Inmate handbook, a comprehensive introduction and education pursuant to §115.33, and have all received screenings related to assessment of the individuals' potential for victimization and/or abusiveness during the intake process. Inmates also relayed that staff announcements of cross gender staff whenever entering an inmate's housing area, bathroom/shower area, or area where an inmate may be changing are occurring. El Paso County Criminal Justice Center inmates were generally aware of the process for reporting PREA related concerns and were also generally aware of community resources available to them.

The El Paso County Criminal Justice Center staff also actively work to implement a safe, secure environment for inmates and staff alike. The staff were very knowledgeable and aware of their responsibilities as it directly related to creating and maintaining a zero tolerance environment, reporting responsibilities, and first responder duties as was conveyed to this auditor during the staff interviews. Staff were also able to confirm receipt of PREA related trainings during their basic training academy and ongoing PREA refresher training(s) to be discussed in further detail in §115.31.

A thorough review was performed of the supporting documentation provided by the El Paso County Criminal Justice Center Community Corrections program. The results of this review, along with the information gathered from the tour as well as the interviews, were used to generate this report. Noted throughout this report will be references to the documentation used to support the determinations of compliance, non-compliance, or non-applicable. Overall, the audit findings for the El Paso County Criminal Justice Center are as follows:

PREA AUDIT TALLY

- Number of standards exceeded: 8
- Number of standards met: 33
- Number of standards not met: 0
- Number of standards not applicable: 2

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.

El Paso County Sheriff's Office Detention Bureau has established and implemented written Standard Operating Procedures mandating zero tolerance towards all forms of "*sexually abusive behavior and sexual assault*" (S.O.P 4.34). This mandate is consistent with the expectations and intent of §115.11. The El Paso County Sheriff's Office Detention Bureau's Standard Operating Procedure provides very clear definitions of key phrases, prohibited acts/behaviors, and the expected practices at predetermined thresholds/intervals for both general and departmental specific staff. Within the collective policies, identified below and referred to throughout this report, is a clear comprehensive plan to both implement PREA compliant practices and maintain such moving forward. This is to include but not limited to outlining the agencies approach to preventing, detecting, and responding to incidents and/or allegations of prohibited conduct.

El Paso County Sheriff's Office Detention Bureau, within the Detention Operations Division, has established a PREA Coordinator position to oversee the agency's efforts to implement Standard Operating Procedures, practices and procedures consistent with the department's stated expectations and as required by the national PREA standards. The El Paso County Sheriff's Office Organizational Chart for the Detention Operations Division confirms the PREA Coordinator position as an upper level position with sufficient authority and empowerment to accomplish the agency's stated objectives.

El Paso County Sheriff's Office organizational chart for the Detention Operations Division also identifies the PREA Compliance Manager position. The PREA Compliance Manager position is also empowered with sufficient authority needed to accomplish the agency's stated objectives as related to attaining and maintaining PREA compliance.

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 04.34, 04.34.01, 04.34.02, 04.34.03

Policies and Procedures referenced: None

§115.212 - Contracting with other entities for the confinement of Inmates

This section does not apply to the El Paso County Criminal Justice Center as the El Paso County Sheriff's Office does not sub-contract with other entities to house offenders.

§115.13 - Supervision and Monitoring

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

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El Paso County Sheriff's Office Detention Bureau has created and provided a staffing plan which encompasses all of the required elements pursuant to §115.13. This annual staffing analysis also provides a much more comprehensive analysis than is required under §115.13. Speaking to the requirements specified in national PREA standard, the El Paso County Criminal Justice Center staffing plan, as prepared by the El Paso County Sheriff's Office, utilizes staffing levels sufficient to maintain a safe, secure environment for those confined and those working within the El Paso County Criminal Justice Center. The El Paso County Sheriff's Office Detention Bureau employs multiple auxiliary security monitoring devices to supplement their staffing pattern. These auxiliary monitoring tools include video monitoring equipment, audio surveillance equipment and convex mirrors to aid in their efforts to protect inmates from sexual abuse. In calculating the adequacy of staffing levels at the El Paso County Criminal Justice Center, the staffing plan addresses all four required components of §115.13(a) (1-4) and was developed utilizing input from El Paso County Sheriff's Office Standardization and Compliance personnel and the El Paso County Sheriff's Office Detention Operations Division PREA Coordinator.

The annual review and analysis of the Detention Bureau staffing plan contains and addresses each of the required elements as identified via §115.13(c) and will aid in maintaining compliance with this standard moving forward. Year to date, El Paso County Criminal Justice Center has not deviated from the staffing plan identified.

El Paso County Criminal Justice Center has met all the requirements for this standard and exceeds the requirement of this standard in that the annual staffing analysis speaks to a larger scope of review than is required by §115.13.

Standard Operating Procedures referenced: 02.16

Policies and Procedures referenced: None

§115.14 – Youthful Offenders

- 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.

El Paso County Sheriff’s Office Detention Bureau Standard Operating Procedures prohibit the confinement of individuals under the age of 18 “*unless a court finds that it is in the best interest of justice and public safety that a juvenile awaiting trial or other legal process be treated as an adult for the purposes of prosecution, or unless convicted as an adult and required by statute to be confined at the El Paso County Criminal Justice Center.*”

Though the confinement of a youthful offender has not occurred in 2015 or 2016 (YTD), there are Standard Operating Procedures and mechanism to account for the potential placement of such offenders at the El Paso Criminal Justice Center. These mechanism and mandates contain all the required elements identified in §115.14(a-c).

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 02.14

Policies and Procedures referenced: None

§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.

El Paso County Sheriff's Office Detention Bureau Standard Operating Procedures (referenced below) accurately capture and reflect the requirements set forth in §115.15(a-f). These Standard Operating Procedures require employees to perform all searches in a professional, respectful, and least intrusive manner while still maintaining diligence and thoroughness in the performance of any search. The Standard Operating Procedures outline the circumstances under which various search methodologies can and should be employed as well as the expectations of how said searches are to be carried out. As clearly articulated in the EL Paso County Sheriff's Office Detention Bureau Standard Operating Procedures (S.O.P.) employees are required to perform all searches in a professional, respectful, and least intrusive manner while still maintaining diligence and thoroughness in the performance of any search.

These S.O.P.'s also articulate the limitations of inmate searches by Detention Bureau employees. These limitations include the prohibition of staff to perform cross gender pat searches of offenders unless in exigent circumstances; rather, inmate pat searches are performed by sworn deputies of the same gender as the offender. Deputies are all formally trained in cross gender, transgender and intersex search techniques as part of their Basic Recruit Academy lesson plan with frequent refreshers offered during roll call training as well as review of such information during required annual trainings. Though rare, in instances which require cross gendered pat searches, the officer initiating the cross gendered search must document and log the performance of said search as well as be able to clearly articulate the rationale for the performance of such.

Strip searches are conducted in the least intrusive manner and in a reasonably private environment. Strip searches are performed by sworn deputies who are the same gender as the offender and involve non-physical contact. To that point, it is important to note, the El Paso County Sheriff's Office Detention Bureau, in their efforts to perform searches of all newly admitted inmates in a professional, respectful and least intrusive manner possible, utilizes a low dose x-ray machine that detects various types of dangerous and illegal substances without revealing skin surface of the inmate or fine anatomical detail.

Cavity searches are performed by medical personnel at a local hospital and only at the authorization of Detention Bureau Chief or designee. Prior to the performance of a cavity search of an inmate, the offender is provided multiple opportunities to voluntarily relinquish the contraband and is interviewed by several employees along the chain of command beginning with the sworn deputy requesting a cavity search through to the Detention Bureau Chief with supervisory intervention and review along the way. Inmates requiring a cavity search are transported to a local hospital by sworn officer; one of whom is the same sex as the offender. This officer will visually monitor the offender at all times to include during the medically performed cavity search.

El Paso County Sheriff's Office Detention Bureau has developed and implemented practices which require staff members of the opposite gender to formally and audibly announce their presence when entering an area where inmates are housed and/or are likely to be changing, showering, or performing bodily functions. The current placement of the cameras combined with the program's operational procedures do not allow for cross gender staff viewing of inmates while showering, changing, or performing any other bodily functions and afford inmates a reasonable amount of privacy.

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 02.16

Policies and Procedures referenced: None

§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.

El Paso County Criminal Justice Center has established multiple contracts with local entities to provide a myriad of language services for inmates with disabilities or who may be limited English proficient. These contracted agencies are:

- Access 2 Sign Language, Inc.
- Globelink International Services (dba: Globelink Foreign Language Center)
- Sign Language Network, Inc.

Via the collective agreements with the above identified agencies, the El Paso County Criminal Justice Center has established several methods and mechanisms by which CJC inmates have access to interpreters who can impartially, accurately, and effectively communicate whether that is via the use of sign language or foreign language interpreter. Globelink Foreign Language Center can provide translation services in 40+ languages to include but not limited to: Arabic, Croatian, Farsi, French, German, Hebrew, Kurdish, Mongolian, Romanian, Russian, Spanish and Swahili. Additional auxiliary aids can also be arranged through the El Paso County Criminal Justice Center staff if needed.

El Paso County Sheriff's Office Detention Bureau employees do not utilize inmate interpreters as was confirmed via Inmate and staff interviews. Furthermore, this practice is prohibited by the El Paso County Criminal Justice Center PREA Standard Operating Procedure (referenced below) unless delays in communicating with an individual would present immediate danger to the individual's safety, compromise the performance of first responder duties, or the investigation of PREA allegations.

El Paso County Criminal Justice Center inmate educational materials are provided in formats and through methods that ensure effective communication with CJC inmates with disabilities to include intellectual disabilities, limited reading skills, or who are blind or have low vision. To that point, all the PREA educational and informational materials are published in both English and Spanish. All newly admitted inmates are provided PREA information during the intake process via a PREA information sheet as well as through a PREA educational video and information contained within the inmate handbook. El Paso County Sheriff's Office Detention Bureau, as noted above, has agreements with certified local agencies to provide translated materials in other languages (if needed).

All inmates interviewed during the onsite portion of the audit confirmed receipt of the PREA related information and were familiar with the multiple reporting avenues available to them.

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 02.05, 02.06

Policies and Procedures referenced: None

§115.217 - 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.

El Paso County Sheriff’s Office Detention Bureau Policies and Procedures (referenced below) outline the hiring process and ongoing expectations pertaining to the performance of background checks for all Detention Bureau employees as well as the duty bound obligations related to the continuing duty to disclose all conduct described in §115.17(a)(1-3). §115.17(e) establishes the frequency of background checks updated for all employees and contractor at once every five years for staff and contractors. The El Paso County Sheriff’s Office Detention Bureau policy not only meets this requirement but also exceeds the frequency required with background checks being performed annually for sworn employees annually.

In both Policies and procedures as well as in practice, El Paso County Criminal Justice Center does not hire or promote anyone who may have contact with Inmates who may have questionable characteristics, morals, etc., The El Paso County Criminal Justice Center Standard Operating Procedure speaks to the disqualification of candidates or employees who have engaged in any of the activities notated in §115.17(a) (1-3). Furthermore, El Paso County Criminal Justice Center also employs the use of various hiring practices in order to assess and quantify the integrity of those in their employ with applicants interested in working as an employee of the El Paso County Sheriff’s Office going through a rigorous vetting process.

El Paso County Criminal Justice Center, in accordance with governing federal, state, and local laws, engages in the exchange of information (as it relates to substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse), between agencies for both potential employees and former employees respectively. Working in close concert with the other local and state law enforcement and correctional entities, the El Paso County Sheriff’s Office Detention Bureau practices due diligence to ensure compliance with §115.17(c)(2) and §115.17(g).

The El Paso County Criminal Justice Center meets the requirements of this standard and exceeds the frequency of background checks for Detention Bureau employees.

Standard Operating Procedures referenced: None

Policies and Procedures referenced: 302, 313, 317

§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.

In October 2012, the El Paso County Criminal Justice Center began using the “West Sprung Structure” to house 72 inmates who participate in Gateway to the Rockies Program and the Recovery and Reintegration Program; hence, this standard is applicable for this audit period. As evidenced through the pre-audit documentation provided and as confirmed during staff interviews conducted onsite, the El Paso County Criminal Justice Center has demonstrated the extent to which the safety of inmates, staff and others can be enhanced through ward/unit design and utilization of both video monitoring systems as well as direct observation through the Criminal Justice Center (CJC) and therefore demonstrated compliance with §115.18(a)(b).

It is important to note, as was observed during the onsite portion of the audit, the El Paso Sheriff’s Office Detention Bureau has actively worked to eliminate all known blind spots within the Criminal Justice Center utilizing the strategic placement of the facility’s cameras, mirrors, and staff monitoring. The effectiveness and usefulness of this equipment as well as the ability to supplement, reposition, and/or enhance surveillance monitoring equipment are reviewed and analyzed pursuant to §115.13 in order to best protect the safety of those incarcerated and ensure the safety of those employed or performing services within the CJC.

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: None

Policies and Procedures referenced: None

§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.

El Paso County Sheriff’s Office is responsible for conducting both administrative and criminal investigations of sexual abuse. In concert with the activation of the facility’s coordinated response plan and performance of first responder duties associated with notification or discovery of incidents of sexual abuse/sexual assault/sexual misconduct, Detention Bureau Investigators are tasked with the responsibility of gathering, preserving, and preparing evidence for potential prosecution. Sexual abuse investigations which appear to be criminal in nature are referred for criminal prosecution in accordance with §115.71. Trained investigators with specialized knowledge pursuant to §115.34 follow a uniform evidence protocol which is developmentally appropriate as is required by §115.21(a)(b).

The El Paso County Sheriff’s Office has an established agreement with Memorial Hospital to provide alleged victims of sexual abuse with forensic medical examinations by either a Sexual Assault Forensic Examiner or a Sexual Assault Nurse Examiner at no cost to the victim. A copy of the agreement with Memorial Hospital was provided to the auditor for review and audit record retention.

The El Paso County Sheriff’s office contracts for mental health services for inmates confined at the El Paso County Criminal Justice Center. Contract personnel have been trained in accordance with §115.35 and §115.21(h). In addition to these internal services, the EPSO Detention Bureau also has agreements with Aspen Pointe and access to TESSA through their agreement with Memorial Hospital. Combined, these mental health services provide CJC inmates with access to an array of crisis intervention, advocacy and emotional support consistent with similar services offered to those not incarcerated as is required via §115.82.

It should be noted, the El Paso County Sheriff’s Department Detention Bureau has actively demonstrated due diligence in their efforts to explore the viability of establishing an MOU with local entities prior to this audit in order to provide inmate victims with a variety of services to include: support through the forensic exam and investigatory interview process; crisis intervention; emotional support; follow-up services; mental health services; and referrals to other community agencies as needed. That said, EPSO remains diligent in attempting to secure such agreements and has, in the meantime, managed to provide similar services without the existence of a formal covenant.

Although the El Paso County Sheriff’s Office Investigators and/or the EPSO Professional Standards Division would conduct nearly all administrative and criminal investigations into allegations, there are rare occurrences in which the El Paso County District Attorney’s investigative team may assist with or perform an investigation of an allegation of sexual abuse at the El Paso County Criminal Justice Center. With that in mind, §115.21(f) is applicable and therefore a request to the District Attorney’s Office was made asking for their adherence with all aspects of this standard when conducting investigations allegations of sexual abuse at the El Paso County Criminal Justice Center

The El Paso County Criminal Justice Center has met the requirements for this standard.

Standard Operating Procedures referenced: 04.34.02, P2-05, P2-08

Policies and Procedures referenced: None

§115.222 - 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.

El Paso County Sheriff’s Office Detention Bureau has established Standard Operating Procedures (referenced below) and implemented practices to ensure all allegations of sexual abuse and/or sexual harassment are promptly investigated, documented, and completed pursuant to the requirements set forth in §115.22(a)(c). The El Paso County Sheriff’s Office’s Standard Operating Procedures speaking to the handling of investigations are posted on the El Paso County Sheriff’s Office website as is required to demonstrate compliance with §115.22(b).

The El Paso County Criminal Justice Center has met the requirements for this standard.

Standard Operating Procedures referenced: 04.34.02, 04.34

Policies and Procedures referenced: None

§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.

As revealed following a review of El Paso County Sheriff's Office Standard Operating Procedures, Policies and Procedures manual, training curriculum, and employee training documentation and materials pursuant to §115.31, El Paso County Sheriff's Office has exceeded the requirement set forth in said national PREA standard. All employees working within the Detention Bureau receive training on the identified required elements of the §115.31(a) (1-10) during training academy and also receive topic specific updates in daily roll call trainings to include the required PREA training topics identified in §115.31 as well as annual refresher of the full PREA curriculum. Updates to S.O.P., Policies and Procedures and other written mandates related to the agency's zero tolerance culture on sexual abuse and sexual harassment are disseminated during these daily roll calls and reinforced during annual training sessions. The frequency of required PREA related trainings provided to employees working within the Detention Bureau exceed the requirements identified in 115.31(c).

Staff member interviews confirmed the receipt of PREA related trainings and the routine reviews of the El Paso County Criminal Justice Center PREA materials, expectations, and processes facilitated daily at roll call. All staff were found to be very knowledgeable and aware of their respective duties as it relates to prevention, detection, deterring and reporting sexual abuse and sexual harassment.

The El Paso County Criminal Justice Center has met the requirements for this standard and exceeds the frequency of trainings required to be provided.

Standard Operating Procedures referenced: 04.34

Policies and Procedures referenced: None

§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.

El Paso County Criminal Justice Center has developed levels of training and education for volunteers, and contractors having access to the inmates housed at the El Paso Criminal Justice Center. El Paso County Criminal Justice Center also provides notification to all visitors of their zero tolerance policy related to sexual abuse, sexual harassment, and sexual misconduct. The levels of training are based upon the individual's level of contact with inmates as well as the degree of direct supervision by Detention Bureau deputies and employees.

The trainings provided to contractors and volunteers, as evidenced through the pre-audit documentation materials provided, covered:

- The El Paso County Sheriff's Office Detention Bureau's zero tolerance policy on sexual abuse, sexual assault, and/or sexual harassment.
- Their responsibilities under the agency's aforementioned zero tolerance policy as it relates to the prevention, detection, and reporting of such prohibited conduct and/or behaviors.
- Mechanism for reporting violations of the agency's zero tolerance policy.

El Paso County Criminal Justice Center has met the requirements for this standard.

Standard Operating Procedures referenced: 04.34

Policies and Procedures referenced: None

§115.33 - Resident 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)

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Upon intake, as was confirmed in a review of the facility's supporting documentation and as was communicated through the El Paso County Criminal Justice Center inmate interview process, all Inmates receive information educating them on:

- the agency's zero-tolerance Standard Operating Procedure regarding sexual abuse and sexual harassment;
- how to report incidents or suspicions of sexual abuse and sexual harassment;
- their right to be free from retaliation for reporting such incidents; and,
- the agency procedures for responding to such incidents.

As noted previously in the audit narrative for §115.16, this information is provided to all inmates upon their intake in the form of a PREA informational sheet for the inmates to retain after reviewing said information with CJC contracted medical staff. Inmates are also provided a short informational video to ensure, as much as is possible, the retention of the key information pursuant to the above bulleted points. This same information is also available to the inmate population through the CJC inmate handbook, via the inmate Kiosk system, as well as being readily visible throughout all areas of the institution by means of PREA related signs and posters.

El Paso County Sheriff's Office Detention Bureau, as noted previously in the auditor's summary for §115.16, has established several agreements with local entities to provide their inmates and employees with access to interpreters who can impartially, accurately, and effectively communicate with the disabled and with limited English proficient individuals.

Additional auxiliary aids can also be arranged through the El Paso County Criminal Justice Center staff. All PREA educational and informational materials are available to El Paso County Criminal Justice Center inmates in both English and Spanish; the two most common languages spoken amongst the El Paso County Criminal Justice Center inmate population.

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 04.34

Policies and Procedures referenced: None.

§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.

El Paso County Criminal Justice Center selected and trained investigators who are tasked with conducting criminal and administrative PREA related investigations. Each investigator has attended a training focused on the handling of investigations of sexual abuse allegations in confined settings consistent with the requirements set forth in §115.34(a-c). These required elements being:

- Techniques for interviewing victims of sexual abuse
- Proper use of Miranda and Garrity Warnings
- Sexual abuse evidence collection in confinement settings
- Evidence required to substantiate a case for administrative action and, when warranted, for referral for criminal prosecution.

A review of the curriculum confirms all required training topics, as identified in §115.34(b), are covered as part of said training. Documentation of training for each investigator in the Detention Bureau's Investigative Unit, pursuant to §115.34, was provided for review by the El Paso County Sheriff's Office Detention Bureau along with the pre-audit questionnaire.

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 04.34, 04.34.02

Policies and Procedures referenced:

§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.

El Paso County Criminal Justice is staffed with mental health professionals and medical professionals who have received training pursuant to §115.31(a-d) as well as receiving specialized training identified in §115.35(a-d). The El Paso County Sheriff's Office Standard Operating Procedure referenced below accurately captures and mirrors the training requirements for these specialized positions as required under §115.35. These required elements being:

1. How to detect and assess signs of sexual abuse and sexual harassment
2. How to preserve physical evidence of sexual abuse
3. How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and,
4. How and to whom to report allegations and suspicions of sexual abuse and sexual harassment.

During the pre-audit process, El Paso County Sheriff's Office Detention Bureau provided certification of specialized training, offered through the National Commission on Correctional Healthcare and identified on the National PREA Resource Center's Library, is consistent with the national PREA requirements pursuant to §115.35 for these individuals providing specialized services. During the onsite portion of the audit, El Paso County Criminal Justice Center specialized staff were able to confirm receipt of this training as well as convey a thorough level of understanding of the information presented during these trainings.

El Paso County Criminal Justice Center has met the requirements for this standard.

Standard Operating Procedures referenced: 04.34, 01.08

Policies and Procedures referenced: None

§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.

As outlined in El Paso County Sheriff’s Office Detention Bureau Standard Operating Procedure (referenced below), El Paso County Criminal Justice Center inmates are assessed at identified placement milestones in order to determine their risk levels for possible victimization and/or possibility of abusiveness. These Standard Operating Procedures accurately reflect and mirror the assessment milestones and thresholds which trigger the performance and/or review of a PREA risk screening assessment for client’s placement in the program. These assessment milestones are:

- Within 72-hours of the client’s admission,
- Within 30 days of their admission;
- Upon receipt of new information;
- Upon receipt of an allegation involving the Inmate (alleged victim and/or alleged abuser).
- Upon transfer to another facility (unsuccessful discharge).

All assessments performed encompass all ten criteria identified in §115.241(d)(1-10) and are documented and stored electronically. A review of risk assessments performed and observation of the system by which said assessments occur revealed compliance with §115.41 and areas in which the El Paso County Sheriff’s Office Detention Bureau exceed the requirement of this standard in that additional screening reviews are conducted shortly after completion of the initial risk assessment in addition to the above identified confinement milestones.

El Paso County Sheriff’s Office Detention Bureau PREA Standard Operating Procedure Statement and as required in standard 115.241(i), El Paso County Sheriff’s Office Detention Bureau staff are instructed and duty bound to maintain confidentiality with regards to information obtained as a result of the risk assessment. Furthermore, this Standard Operating Procedure provides staff with information/direction on the timeframes/situations for conducting such assessments, how to use the information acquired, the confidential nature of client information, and the manner in which the information gathered should be securely stored in the client’s case files. Staff are further instructed, per El Paso County Sheriff’s Office Detention Bureau Standard Operating Procedure (referenced below), not to discipline Inmates who fail to disclose complete information or for refusing to answer.

The El Paso County Sheriff’s Office Detention Bureau has met the requirements for this standard and has exceeding the frequency and occurrence of risk assessment reviews required by §115.41.

Standard Operating Procedures referenced: 04.34.01

Policies and Procedures referenced:

§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.

El Paso County Sheriff's Office Detention Bureau Standard Operating Procedures (referenced below), speak directly to the standard requirements set forth by §115.241(a-f). In the review of documentation, and as relayed by staff during the onsite random staff interviews, information acquired by El Paso County Sheriff's Office Detention Bureau staff during the clients' assessments (to include but not limited to the assessments performed pursuant to §115.241) are used to help management staff determine the most appropriate housing assignment and to allow for inmates at greater risk of victimization to be housed in in such a manner as to ensure the separation of those at high risk of victimization from those at high risk of being abusive.

In reviewing documentation submitted for review during the pre-audit process, in direct observation of Special Management Inmate Review Committee meetings (to be discussed in greater detail later in this report), and as conveyed during the onsite staff interviews, it was abundantly clear the El Paso County Sheriff's Office Detention Bureau staff employ due diligence in the determination of how to ensure the safety of each inmate to include consider the safety and health of a transgender or intersex individuals confined at the Paso County Criminal Justice Center staff. El Paso County Criminal Justice Center has the ability to accommodate individualized showers for their transgender and/or intersex inmates and has established procedures in order to provide such accommodations if requested as is required by §115.42(f).

Speaking to the requirements set forth under §115.42(g), the El Paso County Sheriff's Office Detention Bureau has not dedicated a unit or wings for those inmates who identify as lesbian, gay, bisexual, transgendered, or intersex.

Throughout the audit process, the EPSO Detention Bureau demonstrated excellent application of this standard through thoughtful utilization of the information gathered pursuant to §115.41 and the ongoing individualized determinations of each inmate through classification reviews and S.M.I.R.C. meeting reviews.

El Paso County Criminal Justice Center has both met all the requirements for this standard and exceeds the requirements of the standard for the above noted reasons.

Standard Operating Procedures referenced: 02.13, 04.34.01, 04.34.02, 04.34.03

Policies and Procedures referenced: None

§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 El Paso County Sheriff's Office Detention Bureau Standard Operating Procedure referenced below appropriately captures the vital elements and identifies time specific conditions stipulated under §115.43. Additionally, in keeping with the spirit and intent of this standard, those placed into protective custody are done so in order to ensure the inmate's health or safety while not restricting the inmate's ability to attend programs, education and/or work opportunities. Protective custody can either be voluntary, at the inmate's request, or involuntary. Involuntary segregated housing is at the direction of the Detention Bureau Chief and following a review of available, appropriate housing options and upon determination that such classification status is warranted to ensure the inmate's health and safety.

While §115.43(e) requires the "facility" to "afford each such inmate a review to determine whether there is a continuing need for separation" every 30 days, the El Paso County Sheriff's Office Detention Bureau, per the above referenced S.O.P., conducts a status review of all inmates in Protective Custody at intervals exceeding the PREA standard. Status reviews for inmates placed into Protective Custody status at the El Paso Criminal Justice Center are conducted by a designated Inmate Services Unit personnel at the following intervals:

- Within 72 hours of placement of an inmate into Protective Custody status
- Every seven days for the first 60 days of placement into Protective Custody status
- Every 30 days thereafter

In addition to reviews performed through the Inmate Services Unit, special management inmates are reviewed during a weekly multi-disciplinary team meeting called Special Management Inmate Review Committee (SMIRC). SMIRC members include but may not be limited to: Detention Bureau Commanders, Lieutenants, classification personnel, accreditation and compliance personnel, mental health professionals, and medical professionals and mental health professionals. During these weekly meetings, the SMIRC team reviews each inmate to determine needs/risks to include the review of continuing need for inmate protective custody assignments.

The El Paso County Criminal Justice Center not only meet the requirements for the protective custody pursuant to §115.43 but actually exceed the frequency of protective custody status identified in §115.43(e).

Standard Operating Procedures referenced: 02.13, 04.34.01

Policies and Procedures referenced: None

§115.51 - Resident 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 El Paso County Sheriff's Office Detention Bureau employees inform and provide inmates with multiple channels for reporting sexual abuse and sexual harassment, retaliation and other PREA related violations as is required by §115.51(a)(b). All inmates are provided contact information for the CRIME TIPS LINE (1-719-520-7095), rape crisis counseling and advocacy either internally through onsite contracted services (when appropriate and warranted) and/or through agreements the El Paso County Sheriff's Office has established with local organizations to provide similar services. These organizations include Aspen Pointe, Memorial Hospital and TESSA.

Inmates have access to telephones which can contact any of the aforementioned external entities and the CRIME TIPS LINE number is prominently and strategically posted near all inmate phones so as to ensure the maximum level of anonymity and confidentiality for inmates when reporting. The CJC inmate population has the ability to communicate with El Paso County Criminal Justice Center employees through the inmate Kiosk. Inmates can also correspond with El Paso County Sheriff's Office Professional Standards section to file a report or complaint.

In addition to these resources, El Paso County Criminal Justice Center inmates are also encouraged to contact their attorney, family members, and/or any staff member for reporting via the third party reporting mechanism pursuant to §115.54. This information is available in written format for all inmates to retain during their placement at the El Paso County Criminal Justice Center facility and is also posted throughout the facility in English and Spanish formats. El Paso County Criminal Justice Center has established a mechanism in which this information can be translated into several other languages should the need arise, as was noted in §115.16 and §115.33. Inmates detained solely for civil immigration purposes receive consular notifications, consistent with the expectation identified under §115.51(b), translated into their native language.

Finally, as is required by §115.253(d), El Paso County Criminal Justice Center has established several mechanisms for staff to utilize in reporting PREA related concerns privately through the same primary channels. El Paso County Sheriff's Office Detention Bureau staff accept all reports of sexual abuse and/or sexual harassment to include anonymous and third party reporting, without weighted differentials for verbal or written reports as per §115.51(c).

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 04.34.02, 06.03

Policies and Procedures referenced: None

§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.

El Paso County Criminal Justice Center Standard Operating Procedures (referenced below) mirror the requirements, time frames and thresholds set forth in §115.52. The El Paso County Criminal Justice Center Client Handbook, provides CJC inmates a description of the grievance process under S115.52, All CJC inmates interviewed were familiar with the grievance process as it relates to the requirements of the PREA standards. Specifically, the El Paso County Sheriff’s Office Detention Bureau S.O.P. (referenced below) contains the following PREA required elements:

- No imposition of time limit when an inmate submits a grievance regarding an allegation of sexual abuse.
- Inmates are not required to use an informal grievance process or otherwise resolve the issue with staff when alleging an incident of sexual abuse.
- Inmates alleging sexual abuse shall not submit said grievance to the staff person who is the subject of the complaint nor will said grievance be forward to said staff member for review, investigation or disposition.
- The ability for an inmate to gain assistance from family members, attorneys and outside advocates for filing of requests related to and pursuant to §115.52(a-f).
- Deadlines, exceeding the time frames identified in §115.52(c), for the investigation of and response to grievances submitted and alleging sexual abuse.
- Procedures for filing of a “Emergency Nature” grievance inmates fearful of imminent risk of harm to include but not limited to imminent risk of sexual abuse.

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 06.05

Policies and Procedures referenced: None

§115.53 Resident Access to Outside Confidential Supportive 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.

As previously noted, El Paso County Criminal Justice Center has agreements with Aspen Pointe for emotional counseling and advocacy services as well as a contract with Memorial Hospital within which inmates are afforded access to TESSA. In addition to the contracted mental health services provided to inmates within the El Paso County CJC, the inmate population also have access to services required under §115.53 through the above mentioned local entities. Services to victim inmates alleging sexual abuse include but are not necessarily limited to: rape crisis advocacy; hospital accompaniment; support and accompaniment of the victim through the forensic examination process and the investigatory process; crisis intervention services, administration of medical treatment and precautionary measures pursuant to and described in §115.82 to include referrals for follow-up services.

The contact information for these entities is provided to the El Paso County Criminal Justice Center clients through a variety of methods such as: intake paperwork, facility postings, and via requesting a referral from CJC staff through the inmate Kiosk system. An acknowledgment of the Inmate's receipt of the PREA information received during the intake process is retained in the Inmate's case file and, additionally, the clients are provided with similar information to retain on their person for future reference (if needed). Speaking specifically to the standard's requirement that the facility "enable reasonable communication between Inmates and these organizations in as confidential a manner as possible", El Paso County Criminal Justice Center Inmates, are informed through the inmate handbook as well as audio records which play on the inmate phone system during the initial few seconds of the inmate's phone call as per §115.53(b).

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 04.34.02

Policies and Procedures referenced: None

§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.

Pursuant to the requirements set forth through §115.54(a), El Paso County Criminal Justice Center has publically distributed the methods through which incidents of sexual abuse and/or sexual harassment can be reported. The El Paso County Sheriff’s Office offers two online methods for third party reporting of allegations of criminal activity, policy violations, and safety concerns to include allegations of sexual abuse and/or sexual harassment. Those online methods are:

<http://shr.elpasoco.com/sections-detention-bureau-operations-division/accreditation-section/prea>

<http://shr.elpasoco.com/services/file-crime-report-online>

<http://shr.elpasoco.com/contact>

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 04.34.02

Policies and Procedures referenced: 315, 900

§115.261 - 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.

In review of El Paso County Sheriff's Office Detention Bureau Standard Operating Procedures (referenced below), the directives set forth in these documents accurately capture all of the requirements of §115.61(a-e). Speaking specifically to the requirement of §115.61(a), El Paso County Sheriff's Office Detention Bureau S.O.P.'s clearly articulate the expectation the El Paso County Criminal Justice Center staff's responsibility/obligation to report the allegation in accordance with PREA standards without limitations to when or where the alleged abuse may have occurred. Additionally, this Standard Operating Procedure instructs staff on their duties as per §115.261(e) and C.R.S. 19-3-304 respectively. The S.O.P further defines the controls placed on confidential and sensitive information received by employees as well as the expectation for discretion with information received pursuant to §115.61(b)(c)(d) and (e).

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 4.34.02, 04.34.03

Policies and Procedures referenced: None

§115.262 - 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.

As noted previously in the audit narrative for §115.43 El Paso County Criminal Justice Center staff have mechanisms in place to immediately ensure each inmate's safety. The El Paso County Criminal Justice Center PREA Standard Operating Procedure Statements fully articulate how staff will accomplish compliance with this standard and ensure protection of the inmate from risk of immediate imminent harm. Additionally, staff members have been empowered to make immediate, temporary, housing decisions in order to protect the safety of the El Paso County Criminal Justice Center inmates with procedures available for assignment to Protective Custody status if all other alternative housing options have been explored and exhausted.

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 04.34.02

Policies and Procedures referenced: None

§115.263 - 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.

El Paso County Sheriff’s Office Detention Bureau Standard Operating Procedure 04.34.02 outlines the agency’s expectation for communication of information pertaining to allegations of sexual abuse which occurred at another confinement facility to the head of said institution/agency/facility. The Standard Operating Procedure specifies that El Paso County Sheriff’s Office Detention Bureau Chief will make notification to the facility head of the institution at which the sexual abuse/sexual harassment is alleged to have occurred. El Paso County Sheriff’s Office Detention Bureau Standard Operating Procedure also clearly identifies the 72-hour time frame mandated by §115.263(b) El Paso County Criminal Justice Center Standard Operating Procedure Statement (referenced below) outlines the expectation that notification is to be formally documented as required in §115.263(C).

In the 12 months prior to this audit, El Paso County Criminal Justice Center has received information regarding a sexual abuse allegation requiring notification to another confinement facility. Documentation of notification to the head of that institution was made available during the pre-audit review process and was performed in accordance with PREA standard requirements.

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 04.34.02

Policies and Procedures referenced: None

§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.

El Paso County Sheriff’s Office Detention Bureau Standard Operating Procedure 04.34.02 covers all the requirements in §115.64(a) (1-4) and speaks to the spirit and intent of §115.64(b). It was developed with the overall intent of preserving any evidence, protecting the crime scene and protecting all individuals associated with an alleged incident. The first responder duties are fully articulated and easily understood with emphasis on expedient notification to all relevant parties responsible to respond as identified in the El Paso County Criminal Justice Center’s sexual abuse coordinated response plan and as required by §115.65.

All El Paso County Sheriff’s Office Detention Bureau employees interviewed during the onsite portion of the PREA audit process were able to clearly articulate and convey the scope of their responsibilities related to §115.64 and expected procedures required to adhere to the mandates set forth in the S.O.P.’s. Each staff person interviewed was aware of the steps and precautions needed to ensure preservation of obtainable usable evidence immediately following an incident of sexual assault and/or sexual abuse. Year to date, El Paso County Criminal Justice Center has not had any incidents requiring a first responder response.

El Paso County Criminal Justice Center meets the requirements set forth via §115.64.

Standard Operating Procedures referenced: 04.34.02

Policies and Procedures referenced: None

§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.

El Paso County Criminal Justice Center, as detailed and described in the El Paso County Sheriff's Office Detention Bureau Standard Operating Procedures 04.34, 04.34.01; 04.34.02; and 04.34.03, represents the written coordinated response plan to be utilized immediately following the discovery of or report received within 72 hours of an alleged incident of sexual assault/abuse/misconduct. Collectively, the directives set forth in these S.O.P.'s describe the expected actions to be taken by the following:

- First responders
- Medical personnel
- Mental Health professionals
- Investigators
- Facility Leadership and Command Staff.

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 04.34, 04.34.01, 04.34.02, 04.34.03

Policies and Procedures referenced: None

§115.66 Preservation of Ability to Protect Residents from Contact With Abusers

El Paso County Criminal Justice Center employees, including both sworn and civilian positions, are not unionized and therefore no collective bargaining agreement exists. As such, there is nothing prohibiting El Paso County Sheriff's Office from removing any alleged staff abusers from contact with any inmates.

§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.

El Paso County Sheriff’s Office Detention Bureau Standard Operating Procedure (referenced below) has established multiple mechanisms to protect all Inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse and/or sexual harassment investigations from retaliation by other inmates or staff. El Paso County Sheriff’s Office Detention Bureau Standard Operating Procedure specifically identifies which staff member(s)/department(s) are responsible for monitoring of both inmates and others expressing fear of retaliation when cooperating with an investigation regarding an allegation of sexual abuse and/or sexual harassment. Monitoring would occur for at least 90 days following a report and facilities can extend the monitoring period if circumstances and/or evidence suggest otherwise. Finally, monitoring, per Standard Operating Procedure and per §115.67(f) would terminate if the allegation was determined to be unfounded or if the inmate is released from supervision prior to the expiration of the ninety-day monitoring period.

The El Paso County Criminal Justice Center has met the requirements of this standard.

Standard Operating Procedures referenced: 04.34, 04.34.01, 04.34.02, 04.34.03

Policies and Procedures referenced: None

§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.

As previously noted in §115.43, El Paso County Sheriff's Office Detention Bureau has both mechanisms established to ensure the safety of inmates following an allegation of sexual abuse/assault/sexual misconduct through the use of Protective Custody status when warranted and after having explored and exhausted alternative housing options. The use of Protective Custody status for an inmate at the El Paso CJC is done so in accordance with the El Paso County Sheriff's Office Detention Bureau Standard Operating Procedure 02.13 which incorporates measures for placement into and subsequent review of the inmate's classification status at intervals exceeding the requirements identified in §115.43.

The El Paso County Criminal Justice Center has met the requirements for this standard.

Standard Operating Procedures referenced: 02.13, 04.34.01

Policies and Procedures referenced: None

§115.71 - Criminal and 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.

As outlined in El Paso County Sheriff's Office Standard Operating Procedures and Policies and Procedures (referenced below) related to criminal and administrative investigations, these mandates require a fair and impartial investigation into all allegations received to include allegations of sexual assault, sexual abuse, or sexual misconduct. The supporting documentation, provided as part of the pre-audit process as well as the investigative packets reviewed during the onsite portion of the PREA audit, clearly demonstrate compliance pursuant to §115.71(a). Investigations were well documented and well written using sound investigative practices and logical case progression. To that point, El Paso County Criminal Justice Center has also demonstrated compliance with §115.71(e-i) in both policy and practice.

As previously noted in the audit narrative for §115.34, and consistent with the requirements set forth in §115.34 and §115.71(b-d) respectively, The El Paso County Sheriff's Office Detention Bureau's Investigations Unit personnel responsible for conducting investigations have received specialized training as required under the national PREA standards. Additionally, as appearing in policy and in supporting documentation provided for review for §115.71 and §115.63 respectively, the El Paso County Sheriff's Office Detention Bureau has demonstrated compliance with §115.71(j) in that the basis for termination of an investigation is not conditional on the departure of the alleged abuser or victim from either employment or custody.

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 03.01, 03.02, 04.34.02

Policies and Procedures referenced: 315, 316

§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.

The El Paso County Sheriff’s Office Detention Bureau utilizes the “preponderance of the evidence” as the standard in determining whether allegations of sexual abuse and/or sexual harassment are substantiated, unsubstantiated, or unfounded. The EPSO Detention Bureau Standard Operating Procedure 03.01, the EPSO Policy 317, and the El Paso County “Discipline and Employee Grievance” policy all individually establish the “preponderance of the evidence” as the threshold in determining whether allegations are founded. A review of the supporting documentation provided during the pre-audit process as well as information gathered during the onsite interviews confirmed the El Paso County Sheriff’s Office Detention Bureau’s compliance with §115.72(a).

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures Referenced: None

Policies and Procedures referenced: 317, County Policy (Chapter 7)

§115.73 - Reporting to Residents

- 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.

El Paso County Criminal Justice Center Standard Operating Procedure (referenced below) outlines the process for the reporting of final disposition of investigatory findings to individuals alleging to be victims of sexual abuse. These S.O.P.s capture all four notification thresholds pursuant to 115.273(c) and the exceptions to the notification thresholds as stipulated in §115.73(c)(f). Those notification thresholds are:

- Employee removed from post
- Employee no longer employed with the company
- El Paso County Sheriff's Office learns the employee was indicted/charged with an offense related to sexual abuse within the facility, and
- El Paso County Sheriff's Office learns the employee was convicted on said charges.

The El Paso County Sheriff's Office Detention Bureau Standard Operating Procedure also accurately captures the notification requirements as it pertains to an alleged inmate abuser. In that regard, El Paso County Sheriff's Office Detention Bureau Standard Operating Procedure identifies those notification thresholds as the last two bullets noted above.

El Paso County Criminal Justice Center has met the requirements for this standard.

Standard Operating Procedures referenced: 04.34.02, 04.34.03

Policies and Procedures referenced: None

§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.

Pursuant to §115.76, the El Paso County Sheriff's Office Policies and Procedures (referenced below) appropriately reflect and mirror the requirements set forth in §115.76(a-d) in that:

- Staff shall be subject to disciplinary action for violation of the agency's zero tolerance mandates related to sexual abuse and sexual harassment up to and including termination from employment
- Termination shall be the presumptive disciplinary action for staff who engaged in sexual abuse
- Remedial disciplinary actions for violation of the agency's zero tolerance mandates to sexual abuse and sexual harassment take into consideration the criteria established under §115.276(c)
- Relevant licensing bodies (if applicable) are notified of instances of sexual abuse of an offender by a staff member whether voluntary or involuntary

During the pre-audit process, El Paso County Sheriff's Department Detention Bureau submitted documentation demonstrating compliance with the spirit and intent of the §115.76. As a law

enforcement agency, the Detention Bureau exceeds notifications required by §115.76(d) pertaining to reporting agency zero tolerance violations to "*law enforcement agencies, unless the activity was clearly not criminal*" (Prison Rape Elimination Act, 2003). Additionally, the threshold for terminal offenses is set lower for those employed with or performing services for the El Paso County Sheriff's Office. Subsequently, the thresholds for intermediate or remedial disciplinary measures are adjusted accordingly.

The El Paso County Criminal Justice Center has met the requirements for this standard and exceeds the reporting requirements and threshold for termination of employment for violations of the agency zero tolerance policy stipulated under this standard.

Standard Operating Procedures referenced: None

Policies and Procedures referenced: 314, 317

§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.

Similar to the audit narrative above, El Paso County Criminal Justice Center' Standard Operating Procedures (referenced below) accurately capture and reflect the requirements identified under §116.77 to include the agency's responsibilities as it pertains to reporting of sexual abuse incidents to relevant licensing bodies (as appropriate). By the same token, the strengths noted in the audit narrative for §115.76 also pertain to the requirements for this standard. To that point, and as noted above, as a law enforcement entity, the threshold for termination is set lower for those employed with or performing services for the El Paso County Sheriff's Office. Similarly, the thresholds for intermediate or remedial disciplinary measures is adjusted accordingly.

The El Paso County Criminal Justice Center has met the requirements for this standard and exceeds the reporting requirements and threshold for termination of employment for violations of the agency zero tolerance policy stipulated under this standard.

Standard Operating Procedures referenced: 04.34

Policies and Procedures referenced: None

§115.78 - Disciplinary Sanctions for Residents

- 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.

El Paso County Sheriff’s Office Detention Bureau Standard Operating Procedure (referenced below) mirrors the requirements of §115.78. Additionally, pertinent elements of the agency’s PREA Standard Operating Procedures speak to: the rights afforded to each client under the PREA standards; disciplinary measures and consequences for violating the agency’s Standard Operating Procedures related to sexual abuse and sexual harassment; local community support services available to clients, and; methods and mechanisms for reporting to and accessing services from these entities have been incorporated into the inmate handbook. In addition to the inmate handbook, El Paso County Sheriff’s Office educates and informs clients of the rights and limitations afforded pursuant to §115.78(c)(d)(e) and (g) respectively.

The inmate disciplinary process at the El Paso County Criminal Justice Center ensures all allegations of institutional violations found to have been committed are reviewed pursuant to §115.52 and in a fair and impartial manner. Inmates are afforded all due rights, privileges and assistance (as needed) pursuant to El Paso County Sheriff’s Office Detention Bureau Policies and Procedures in order to ensure a fair and impartial hearing and sanctions commensurate to the considerations stipulated in 115.78(a)(b).

Speaking to the requirements identified in §115.78(d), the El Paso County Sheriff’s Office Detention Bureau utilizes a multi-disciplinary team approach to provide a myriad of counseling services, therapeutic services and other intervention treatment methods to inmates being confined at the El Paso Criminal Justice Center through contracted services.

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 03.01

Policies and Procedures referenced: None

§115.81 – 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.

El Paso County Sheriff’s Office Detention Bureau Standard Operating Procedure (referenced below) appropriately reflects the requirements set forth through §115.81(a-e). Articulated in both the EPSO Standard Operating Procedures and during staff interviews during as well as through a review of the pre-audit documentation provided by the El Paso County Sheriff’s Office Detention Bureau, procedures have been implemented to ensure:

- Screening information acquired pursuant to §115.41, indicating prior sexual victimization of the inmate occurred, will be forwarded to appropriate medical or mental health practitioners for follow up services and evaluation as per §115.81(a)(c) and §115.83(a).
- Said follow up medical and/or mental services shall occur within 48 hours of notification from the classification unit; hence, exceeding the 14-day requirement for initiation of such follow up services as required by §115.81(a)(c).
- The appropriate handling, storage, and retention of confidential and/or sensitive information received by employees and pertaining to applicable sections of the National PREA standards described herein to include the approved/recommended disclosures of such information identified in §115.81(d).

Please note, §115.81(b) would not apply to the El Paso County Criminal Justice Center as this subset of §115.81 pertains specifically to prisons.

The El Paso County Criminal Justice Center has met the all the requirements for this standard and has exceed the requirement for accomplishment of the follow up medical and/or mental health screening for known victims of sexual assault/sexual abuse.

Standard Operating Procedures referenced: 04.34.01

Policies and Procedures referenced: None

§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.

The El Paso County Sheriff's Office Detention Bureau Standard Operating Procedures (referenced below), outlines the agency's responsibility to provide inmate victims of sexual abuse with access to emergency medical treatment and crisis intervention services, as identified through §115.82(a-d), and provides guidance on the obligations, and responsibilities of those responsible for arranging such services following an incident of sexual abuse/sexual assault/sexual misconduct. In instances in which safety concerns required the use of Protective Custody status for an alleged victim, the EPSO Detention Bureau Standard Operating Procedures outline the conditions under which such classification status can be used, the privileges and services afforded Protective Custody status inmates, and the review requirements for such placement. El Paso County Criminal Justice Center has demonstrated substantial compliance with §115.82(a)(b).

Though not having occurred within the scope of this audit period, El Paso County Sheriff's Office has the ability to provide the required medical and mental health services to inmates who are the victims of sexual assault/sexual abuse/sexual misconduct, in that:

- The nature and scope of medical and mental health services will be determined by medical and mental health professionals.
- Inmate victims are offered timely access to emergency contraception, sexually transmitted infections prophylaxis
- Pregnancy test for inmate victims of sexually abusive vaginal penetration
- Treatment is provided to inmate victims without financial cost and without consideration for their willingness to cooperate with an investigation.

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 04.34.02

Policies and Procedures referenced:

§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.

As has been mentioned in the previous two audit narratives, El Paso County Sheriff’s Office Detention Bureau Standard Operating Procedures collectively, accurately capture and reflect the requirements, intent, and spirit of the §115.81, §115.82 and §115.83. Clearly articulated within these Standard Operating Procedures is verbiage speaking to:

- Screening information acquired pursuant to §115.41, indicating prior sexual victimization of the inmate occurred, will be forwarded to appropriate medical or mental health practitioners for follow up services and evaluation as per §115.81(a)(c) and §115.83(a).
- Pregnancy test for inmate victims of sexually abusive vaginal penetration
- Treatment is provided to inmate victims without financial cost and without consideration for their willingness to cooperate with an investigation.

As much as is within their control, the El Paso County Criminal Justice Center exhibits due diligence in ensuring follow-up services and referrals for continued care are communicated to inmates who are being released from custody or whose custody and supervision are transferring to another institution and entity. In instances in which an inmate’s custody is being transferred to the Colorado Department of Corrections, the El Paso County Sheriff’s Office Detention Bureau will communicate treatment needs to the CDOC through a mutually shared inmate data management software system. Inmates released from custody are encouraged to continue with the established treatment plan and are provided with referrals for ongoing medical treatment related to §115.83.

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 04.34, 04.34.02

Policies and Procedures referenced: None

§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 El Paso County Sheriff’s Office Detention Bureau Standard Operating Procedure (referenced below) outlines the agency’s expectation on the scope, the participants, responsibilities and areas to be reviewed, and functionality of a sexual incident review committee following conclusion of an allegation of sexual abuse resulting in a substantiated or unsubstantiated finding. The responsibility of evaluation and assessing the criteria to be considered through a sexual incident review per §115.86(d)(1-5) is entrusted to the aforementioned Special Management Inmate Review Committee (SMIRC).

S.M.I.R.C. committee members, as noted in §115.43, span the organizational chart to include command, leadership, and supervisory staff along with civilian employees occupying key positions within the Detention Bureau and representatives of contract services being provided to the inmate population (i.e., medical and mental health professionals). All SMIRC meetings are formally memorialized and captured in the form of meeting minutes with committee recommendations for identified issues or concerns, and are reviewed in subsequent weekly SMIRC meetings

With this in mind, the following was given due consideration in the determination of the agency’s level of compliance with the national PREA standards as it related to sexual abuse incident reviews in the absence of the need for such a review to have occurred during the audit period under review.

- The strength and clear articulation of mandates governing expected practices of those employed with or contracted to perform services for the El Paso County Sheriff’s Office Detention Bureau
- The expected functions of the sexual abuse review committee mimicking that which is currently occurring in the weekly SMIRC meetings
- Review of committee meeting minutes and direct observation of a committee meeting in which a thorough review of risk, needs, operational and institutional considerations were all thoroughly reviewed with input from the multi-disciplinary committee members.
- Information acquired resulting from onsite staff interviews.

As such, it is more than reasonable to believe the El Paso County Sheriff’s Office Detention Bureau would diligently fulfill their responsibilities as required and set forth under §118.86 if such a need for review arose.

The El Paso Criminal Justice Center has met the requirements for this standard.

Standard Operating Procedures referenced: 04.34.03

Policies and Procedures referenced: None

§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.

As an agency, El Paso County Criminal Justice Center, as directed and driven by the Standard Operating Procedure referenced below, collect accurate, uniform data for every allegation of sexual abuse at its facility and do so by using a set of definitions. Consistent with the requirements set forth in §115.87, this information is collected, aggregated annually, and based on all available incident based documentation. The data collected meets the minimum requirements set forth via §115.87(c) in that the information gathered allows for completion of the Survey of Sexual Violence (SSV) conducted by the Department of Justice.

The El Paso County Sheriff’s Office Detention Bureau provided the most recently completed SSV and is in the process of capturing this information in the form of an annual report, as per §115.88, and will also need to make this data available for public consumption; though not a requirement of §115.87 specifically.

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 04.34.03

Policies and Procedures referenced: None

§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.

As noted in the audit narrative §115.87, the El Paso County Sheriff’s Office Detention Bureau collects accurate, uniform data necessary to meet requirements set forth via §115.87. The El Paso County Sheriff’s Office Detention Bureau provided the most recently completed SSV and has captured this information in the form of an annual report, as per §115.88, making this data available for public consumption; specified in the required elements of §115.88.

The El Paso County Sheriff’s Office Annual Report includes the following elements:

1. Comparison of current data and corrective actions with those from previous years.
2. Identify problem areas that may exist within the facility or within established practices.
3. An assessment of the Agency’s overall progress and efforts as it relates to the prevention, detection, and reporting of incidents of sexual abuse and sexual harassment.
4. Provide recommendations for improving El Paso County Sheriff’s Office’s Detention Bureau’s efforts to maintain compliance with the PREA standards moving forward.
5. Approval from agency head prior to formal publishing and public consumption.

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 04.34.03

Policies and Procedures referenced: None

§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.

Consistent with the requirements set forth in §115.89, El Paso County Criminal Justice Center’ Standard Operating Procedure (referenced below) accurately captures and mirrors the standard’s expectations regarding storage and retention of data collected pursuant to §115.87 and §115.88 respectively. With consideration for the previous two audit narratives, the El Paso County Sheriff’s Office Detention Bureau is continuing to compile data pursuant to §115.87 for use in the development of an EPSO Detention Bureau’s Annual PREA report inclusive of formal publishing of this information for public consumption per §115.88 and has policies to ensure this effort is ongoing with proper retention of this data pursuant to §115.89.

El Paso County Criminal Justice Center has met all the requirements for this standard.

Standard Operating Procedures referenced: 04.34.03

Policies and Procedures referenced: None

AUDITOR CERTIFICATION

I certify that:

- The contents of this report are accurate to the best of my knowledge.

- No conflict of interest exists with respect to my ability to conduct an audit of the agency under review, and

- I have not included in the final report any personally identifiable information (PII) about any Inmate or staff member, except where the names of administrative personnel are specifically requested in the report template.



Auditor Signature

July 30, 2016

Date