

PREA AUDIT REPORT **INTERIM** **FINAL**
JUVENILE FACILITIES

Date of report: 5/16/2017F

Auditor Information			
Auditor name: Martin Harrelson, Jennifer Hamilton			
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Telephone number: 423-315-3546			
Date of facility visit: April 19,20 2017			
Facility Information			
Facility name: Rutherford County Juvenile Detention Center			
Facility physical address: 1710 S. Church St., Suite 4, Murfreesboro, TN 37130			
Facility mailing address: <i>(if different from above)</i> Click here to enter text.			
Facility telephone number: 615-898-7954			
The facility is:	<input type="checkbox"/> Federal	<input type="checkbox"/> State	<input checked="" type="checkbox"/> County
	<input type="checkbox"/> Military	<input type="checkbox"/> Municipal	<input type="checkbox"/> Private for profit
	<input type="checkbox"/> Private not for profit		
Facility type:	<input type="checkbox"/> Correctional	<input checked="" type="checkbox"/> Detention	<input type="checkbox"/> Other
Name of facility's Chief Executive Officer: Lynn Duke			
Number of staff assigned to the facility in the last 12 months: 39			
Designed facility capacity: 64			
Current population of facility: 26			
Facility security levels/inmate custody levels: Secure			
Age range of the population: 8-18			
Name of PREA Compliance Manager: Lynn Duke		Title: Director	
Email address: lduke@rutherfordcountyttn.gov		Telephone number: 615-898-7954	
Agency Information			
Name of agency: Rutherford County Juvenile Detention Center			
Governing authority or parent agency: <i>(if applicable)</i> Rutherford County Government			
Physical address: 1710 S. Church St. Suite 4, Murfreesboro, TN 37130			
Mailing address: <i>(if different from above)</i>			
Telephone number: 615-898-7954			
Agency Chief Executive Officer			
Name:		Title:	
Email address:		Telephone number:	
Agency-Wide PREA Coordinator			
Name:		Title:	
Email address:		Telephone number:	

AUDIT FINDINGS

NARRATIVE

The Prison Rape Elimination Act on site audit of the Rutherford County Juvenile Detention Center was conducted on April 19, 20, 2017 by Martin Harrelson and Jennifer Hamilton, Certified PREA Auditors. Pre-Audit preparation included a review of all documentation and materials submitted by the facility including the Pre-Audit Questionnaire submitted by the facility. Documentation included facility policies, Intake forms, training, resident education, staff organization, PREA posters, audit announcement, and other compliance related materials. A private office was provided for the auditors to interview and review documentation. Interviews included staff administration, volunteers, medical staff, mental health providers, district attorney, investigative staff, random staff, staff who make unannounced rounds, first responders, intake staff and screening staff. Staff from all shifts were interviewed, as well as supervisory staff. 10 of the 26 juveniles housed in the facility during the audit were interviewed. Juveniles were interviewed regarding their knowledge of their ability to report and be safe from abuse. Staff were interviewed regarding overall knowledge of the agency's zero tolerance policy, first responder responsibilities, reporting mechanisms for staff and residents, and response protocols. Personnel files were reviewed for fingerprints, background checks, sexual abuse registry checks and training verification. Intake screening tools and resident education materials were reviewed. Rutherford County reported 1 allegation of sexual abuse in the last 12 months. The allegation was in the form of a grievance, was investigated, and deemed unfounded.

There were no disabled youth during the audit there was one youth with limited English speaking residents reported or observed and talked to by the auditor .

Posters are placed throughout the facility, in each housing area, and wherever facility programming occurs. Posters had the hotline number available and were printed in English and Spanish. Notification of audit posters were also in all areas of the facility, including staff specific areas. The facility has a teacher and contract medical staff.

All staff interviewed were knowledgeable in PREA protocols. It appears to this auditor that the standards have been institutionalized and are well known. All questions regarding detection, responding and reporting were answered without hesitation.

DESCRIPTION OF FACILITY CHARACTERISTICS

Rutherford County Juvenile Detention Center is a 64 bed secure juvenile facility serving Rutherford County. The facility has 3 housing pods with a capacity of 16 residents each, one for females, one for males, and one for male segregation. The facility has 16 dorm type beds which are primarily used for facility programming. A central control room is located in the middle of the housing pods with video surveillance constantly. There are two holding cells in the intake area as well as a shower. There is a classroom, library, and recreational area under constant monitoring. The facility offers video visitation, secure and contact visitation for parents, guardians, caseworkers, attorneys, probation officers and counselors. The facility has a clinic for physicals and sick call. There are posters throughout the facility explaining the right to be safe from sexual abuse and sexual harassment, as well as notices of the pending audit. The posters have the abuse hotline contained in the narrative. The facility has 39 staff who have contact with residents.

SUMMARY OF AUDIT FINDINGS

[Click here to enter text.](#)

Number of standards exceeded: 5

Number of standards met: 35

Number of standards not met: 0

Number of standards not applicable: 1

Standard 115.311 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.

115.311(a)-1 The agency has a policy mandating zero tolerance policy toward all forms of sexual abuse and sexual harassment in its facility.
115.311(a)-2 Facility policy outlines how it will implement preventing, detecting, and responding to sexual abuse and sexual harassment.
115.311(a)-3 Definitions of prohibited behaviors regarding sexual abuse and sexual harassment are included in the policy.
115.311(a)-4 The policy has sanctions for those found to have participated in prohibited behaviors.
115.311 (a) 5 Agency policy includes strategies to reduce and prevent sexual abuse and sexual harassment.
115.311 (b) -1 The agency has an upper level PREA Coordinator.
115.311(b)-2 The PREA Coordinator has sufficient time and authority to fulfill the role.
115.311(c) -3 The Director of the facility is the PREA Coordinator.
115.311 ©- 4 The PREA Coordinator reports to Judge Donna Scott Davenport.
Information from site visit, policy review and interviews.

Standard 115.312 Contracting with other entities for the confinement of 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)

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The Agency does not contract with other agencies to house Rutherford County residents.

Standard 115.313 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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Site tour, interviews, policy review

The facility is required to develop a staffing plan that provides adequate staffing to protect residents from sexual abuse. The plan includes video monitoring. All blind spots have been eliminated through video monitoring and direct staff supervision. Confirmed through interviews, the staffing ratio meets the 1:8 waking and 1:16 sleeping threshold. There is an annual review of the staffing plan as well as an ongoing evaluation. If a short staff situation occurs, the administration immediately rectifies the situation by an on call policy to ensure adequate staff are available. Staff placement, population of facility, programming and potential of incidents of abuse are taken into consideration when staffing is reviewed. The facility performs unannounced rounds by upper level staff to prohibit potential sexual abuse, and does this on an ongoing basis. These unannounced rounds are documented.

Standard 115.315 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)

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Policy review, interviews:

The facility has a policy limiting cross gender strip searches or body cavity searches. Through staff interviews, it was ascertained that all staff understood the policy and in the event the situation presented itself, another alternative would be found. The facility does not perform cross gender pat down searches. In the event same gender staff were not available, a patrol officer would be utilized.

The agency has a policy that all residents are enabled to shower, perform bodily functions and change clothing without staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in the event of routine housing checks. Staff of the opposite gender must announce their presence in housing units before entering. This announcement was witnessed several times during the walk through.

Standard 115.316 Residents with disabilities and residents 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.

Document Review, Interviews:

The agency has a policy that provides residents with disabilities and limited English proficient residents the same opportunities to participate in the facility's efforts to detect, prevent and respond to sexual abuse and sexual harassment. Educational materials used are age appropriate. Staff are trained to recognize disabled youth and ensure, within their ability, that the youth understand their right to be safe from

sexual abuse and sexual harassment. The agency utilizes a local interpreter for limited English speaking youth. Printed materials including posters, resident handbook and video are available in Spanish. Through interviews with staff, it is accepted policy that resident interpreters are not used at this facility.

Standard 115.317 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)

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Policy Review: Rutherford County Juvenile Detention Center has a policy preventing the hiring or promotion of anyone who has 1)engaged in sexual abuse in a jail, prison, lockup, community confinement, or juvenile facility; 2)has been convicted of engaging in sexual activity, or 3) has been civilly adjudicated to have engaged in the activity of sexual abuse or sexual harassment.

Any incident of sexual harassment will be considered regarding hiring, promotion or contract service providers.

All new hires are screened with fingerprint checks, background checks, NCIC and abuse registries.

All contractors undergo a background check, abuse registry check.

The agency has a policy to conduct background checks at least every 5 years. Every employee at the agency has had a fingerprint check and background check within the last 2 years. This was verified through personnel files.

All prospective employees are required to disclose any sexual misconduct. Further, current employees are required to report on an ongoing basis any sexual misconduct or harassment. This also applies to contractors.

The agency seeks legal counsel regarding reporting sexual misconduct to other agencies.

Standard 115.318 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.

The facility has a video monitoring system which is staffed constantly. There are also intercoms in each housing area. Blind spots have been eliminated. Administrative staff assess the need for additional monitoring on an ongoing basis.

Standard 115.321 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.

- (a) The Rutherford County Juvenile Detention Center only conducts administrative investigations of sexual abuse or sexual harassment. Criminal Investigations are done by law enforcement and the Department of Children's Services.
- (a) 2 The agency responsible for conducting Criminal Investigations is the Department of Children's Services and local Law Enforcement Agencies- The Rutherford County Sheriff's Department or Police Department.
- (b) 1 The protocol is developmentally appropriate for youth and the youth are often interviewed by a forensic child interviewer at the Child Advocacy Center.
- (b) 2 The protocol was adapted from or otherwise based on the most recent edition of the DOJ's Office on Violence Against Women publication "A National Protocol for Sexual abuse medical forensic examinations, Adults/Adolescents, or similarly comprehensive and protocols developed after 2011.
- Forensic medical examinations are offered to all residents who experience sexual abuse.
- (c) 1 The facility offers all residents who experience sexual abuse access to forensic medical exams.
- (c) 2 Forensic medical examinations are offered without financial cost to the victim,
- (c) 3 Where possible examinations are conducted by Sexual Assault Forensic Examiners (SAFE or Sexual Assault Nurse examiners (SANES).
- (c) 4 When SAFE OR SANES are not available a qualified medical practitioner performs forensic medical exams. At St. Thomas Rutherford they have SANE nurses on call 24-7.
- (c) 5 The facility documents efforts to provide SAFE or SANE's.
- (c) 6 There have been no forensic medical exams in the past 12 months.
- (c) 7 There have been no SAFE/SANE exams in the past 12 months.
- (c) 8 There have no exams performed by a medical examiner in the past 12 months.
- (d) The facility attempts to make a victim advocate from a rape crisis center to the victim, the SAFE /SANE program offers a victim advocate from the local mental health agency.
- (d) 2 These efforts are documented.
- (d) 3 If and when a rape crisis advocate is not available the facility provides a qualified staff member from a community based organization or qualified staff member.
- (e) 1 If requested by the victim a victim advocate or qualified staff accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provides emotional support , crisis intervention, information, and referrals.
- (f) 1 The agency only conducts administrative investigations.

The facility has a policy that covers uniform evidence protocol for obtaining physical evidence for administrative proceedings and criminal investigations. Protocols exist for informed consent, confidentiality reporting to law enforcement, and reporting to child abuse investigative agencies. Any youth making an allegation is offered a forensic medical examination, that includes a Sexual Abuse Nurse Examiner and at no cost to the youth. The facility provides a victim advocate if requested, and this advocate is available for all interactions during the examinations, investigatory interviews, and for additional support and crisis services. The identified SANE/SAFE nurses at the St. Thomas Rutherford Hospital.

Interviews:

All staff interviewed had a working understanding of their responsibilities regarding the evidence protocol, timelines, and follow up in the event of an allegation of sexual abuse.

Interviews with the SANE nurse at St. Thomas Rutherford and the therapist at the local mental health center as well as the PREA

Standard 115.322 Policies to ensure referrals of allegations for investigations

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

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

Policy Review:

Rutherford County Juvenile Detention Center has a policy ensuring that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.

Rutherford County Juvenile Detention Center has a policy requiring allegations of sexual abuse or sexual harassment be referred for investigation to an agency with the legal authority to conduct criminal investigations including the agency if it conducts its own investigations. The agency does not conduct its own criminal investigations this is done by The Department of Children’s Services and law enforcement.

Interviews:

This was cooborated by local law enforcement and by the PREA Compliance Manager.

The agency had 1 allegations of sexual misconduct by a staff member and it was unfounded during the past 12 months. There were no sexual harassment allegations during the past 12months.

Standard 115.331 Employee training

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

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

Policy Review:

Rutherford County Juvenile Detention Center has a policy that requires PREA training initially upon employment and a yearly review.

Interviews with random staff and specialized staff indicate a comprehensive understanding of all aspects of PREA including:

- 1) The agency’s zero tolerance policy for sexual abuse and sexual harassment;
- 2) Their responsibility regarding prevention, detection, reporting and response to sexual abuse and sexual harassment;

- 3) Resident's rights to be free from sexual abuse and sexual harassment;
 - 4) Resident's and employee's rights to be free from retaliation for reporting sexual abuse or harassment;
 - 5) The dynamics of sexual abuse and sexual harassment in facilities;
 - 6) Common reactions of juveniles who are victims of sexual abuse and harassment;
 - 7) Ability to detect and respond to signs of threatened abuse and how to distinguish between consensual sexual contact and sexual abuse between residents;
 - 8) How to avoid inappropriate relationships with residents;
 - 9) how to communicate effectively with residents, including lesbian, gay, bisexual, transgender intersex, or gender nonconforming residents;
 - 10) How to comply with laws regarding mandatory reporting of sexual abuse to outside agencies
 - 11) Laws regarding the age of consent.
- The facility maintains records of all employee training.

Standard 115.332 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.

Policy Review:

Rutherford County Juvenile Detention Center policy states all volunteers and shall receive training on the following. The facility does not use contractors.

- a. Understand the Prison Rape Elimination Act and how it pertains to juvenile facilities.
- b. Rutherford County Juvenile Detention Center PREA Policies.
- c. Rutherford County Juvenile Detention has zero-tolerance for sexual abuse and sexual harassment.
- d. How to fulfill individual responsibilities under Agency sexual abuse and sexual harassment prevention, detection, reporting and response policies and procedures.
- e. The right of juveniles to be free from sexual abuse and sexual harassment
- f. How to avoid inappropriate relationships with juveniles.
- g. Recognizing red flags.
- h. Understanding first responder duties.
- i. Understanding shared information guidelines.

Interviews:

Through interviews, the volunteers were able to indicate a good understanding regarding their responsibilities to report, respond, detect and prevent sexual abuse and sexual harassment. This information was also corroborated by the PREA Compliance Manager.

Standard 115.333 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)

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.

Rutherford County Juvenile Detention Center Policy states that residents receive information about the zero tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment, that the information is age appropriate, and covers residents who are transferred from one facility to another regarding their right to be free from sexual abuse, harassment, or retaliation for reporting. The residents receive this information at intake.

- a) PREA education is available for LEP, deaf, visually impaired, otherwise disabled or have limited reading skills
Upon intake, residents receive information explaining the agency’s zero tolerance policy regarding sexual abuse and sexual harassment and how to report it. This is done before the resident is placed in population. Residents are shown an age appropriate video outlining PREA.
The PREA video is shown in each POD every Thursday.

All 10 residents interviewed during the audit stated they were given information regarding PREA at intake. They were given pamphlets and the information is in the resident handbook. All youth were interviewed and remembered key elements of the PREA education, including their right to be free from sexual abuse, harassment, and retaliation. They were aware of where to call to report, who to report to, and how to report anonymously. There was one resident interviewed who had limited English Profeciency and he could articulate understanding of PREA.
Auditors were provided copies of the pamphlets in English and Spanish. This information was also cooborated by the PREA Compliance Manager.

Standard 115.334 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.

Rutherford County Juvenile Detention Policy

In addition to the general training provided to all employees pursuant to 115.331, investigators with local law enforcement receive training in conducting investigations in confinement settings to include:

- a. Techniques for interviewing juvenile sexual abuse victims.
- b. Sexual abuse evidence collection in confinement settings.
- c. Criteria and evidence required to substantiate a case for administrative action or prosecution referral.
- d. Proper use of Miranda and Garrity warnings.

This training is documented using form 115.334 Investigator Receipt of PREA.

This was cooborated by interviews with staff and the PREA Compliance Manager.

Standard 115.335 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)

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- (a) The Rutherford County Juvenile Detention Center has medical staff at the facility who have been trained in:
 - (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 juvenile victims of sexual abuse and sexual harassment.
 - (4) How and whom to report allegations of sexual abuse and sexual harassment.
 Personal records of medical staff documented they had received PREA Training and corroborated by the PREA Compliance Manager.
- (b) The medical staff at the Rutherford County Juvenile Detention Center do not conduct the physical forensic exams on the youth. The youth are sent to the local hospital St. Thomas Medical who have SAFE/SANE nurses and provide victim advocates.
- (c) The medical staff at Rudd Medical receive PREA training. The documentation of this training is located in the personnel files at Rudd Medical.
- (d) The Rutherford County Juvenile Detention Center ensures training mandated for employees under 115.331 or for contractors and volunteers under 115.332 depending on the practitioner’s status at the facility. There are no mental health practitioners employed by the center. However, the local mental health agency is familiar and aware of the PREA standards and policy. This was verified by interview with the Director of the local mental health agency.

Standard 115.341 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)

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- (a) The Rutherford County Juvenile Detention Center uses all information obtained pursuant to 115.351 to make housing, bed, program and educational assignments with the goal of making all residents safe and free from sexual abuse. This was corroborated by the PREA Compliance Manager and staff responsible for screening decisions.
- (b) Rutherford County Juvenile Detention Center does not use Isolation for any residents.
- (c) The facility prohibits placing lesbian, gay, bisexual, transgender, or intersex residents in particular housing, bed or other assignments based solely on such identification or status. The facility prohibits considering lesbian, gay, bisexual, transgender, or intersex residents as an indicator of likelihood of being sexually abused. This was corroborated by the interview with the one resident in the category on the dates of the audit. The interview with the PREA Compliance Manager also corroborated this information.
- (d) The agency makes housing assignments and other programming assignments of residents for transgender and intersex residents in the facility on a case by case basis.
- (e) The Rutherford County Juvenile Detention Center has implemented controls on the dissemination within the facility of responses to questions asked pursuant to this standard to ensure that sensitive information is not exploited to the resident’s detriment by staff or other

residents.

Standard 115.342 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)

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- (a) The Rutherford County Juvenile Detention Center uses all the information pursuant to 115.32 and subsequently make housing, bed, education and program assignments (with the goal of keeping all residents safe and free from sexual abuse. This was corroborated by the Staff interviews with the task of screening for risk. The interview with the PREA Compliance Manager also verified this information.
- (b) The Rutherford County Juvenile Detention Center does not use isolation: Interview with PREA Compliance Manager.
- (c) The Rutherford County Juvenile Detention Center prohibits placing lesbian, gay, transgender, or intersex residents in particular housing, bed or other assignments on the basis of such identification.
- (d) In deciding whether to assign a transgender or intersex resident to a facility for male or female residents, and making other housing and programming assignments, the center does not make this decision solely on such identification. This was verified by an interview with the one youth that was in the facility at the time of the audit and corroborated by the PREA Compliance Manager.
- (e) The Rutherford County Juvenile Detention states there have been no residents of sexual victimization placed in isolation in the past 12 months.
 - (b)4 There have been no juveniles placed in isolation at risk of sexual victimization therefore there are no juveniles denied access to daily large muscle exercise, special educational programming in the past 12 months
 - (b)5 There have been no juveniles placed in isolation for a PREA related event in the past 12 months
 - (c) 1 The Rutherford County Juvenile Detention Center prohibits placing lesbian, gay, bisexual, or transgender juveniles in a particular housing unit or other assignments solely based on the such identification status.
 - (c)2 The Rutherford County Juvenile Detention Center prohibits considering lesbian, gay, bisexual, or transgender or intersex identification or status as an indicator of likelihood of being an abuser.
 - (d) 1 The Rutherford County Juvenile Detention makes housing and program assignments for transgender or intersex juveniles on a case by case basis
 - (h) 1 There were no cases where a juvenile was placed in isolation for a PREA related event in the past 12 months due to safety or less alternative means of supervision.
 - (i) Rutherford County Juvenile Detention does not place residents in isolation.

Standard 115.351 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)

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- (a) The Rutherford County Detention Center provides multiple ways a resident to privately report sexual abuse and sexual harassment, retaliation by other residents or staff reporting sexual abuse and sexual harassment, and staff neglect of responsibilities that may have contributed to such incidents. The residents may use the phone to report sexual abuse or harassment at anytime. The residents may also contact their attorneys, parents, or legal guardians at anytime to report. The residents may also tell a staff member who will report to the appropriate authorities DCS or law enforcement. The staff interviewed and the youth interviewed all knew the ways to report confidential reports and the importance of confidentiality.
- (b) The Rutherford County Juvenile Detention Center provides multiple ways for the residents to report abuse or harassment to public or private entities that are not part of the agency and is able to receive and immediately forward resident reports to agency officials, allowing the resident to remain anonymous upon request. This is done by the juvenile having access to call the 1-800 number, call their attorney, their parents or legal guardian to report any form of sexual abuse or harassment.
- (c) The Rutherford County Juvenile Detention accepts reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports.

This was corroborated by the staff who were interviewed and the PREA Compliance Manager.

- (d) The Rutherford County Detention Center shall provide residents with access to necessary to make a written report. The residents are provided with pencil and paper if they want to make a written report. This was corroborated by resident interviews, staff interviews and the Prea Compliance Manager.
- (e) The Rutherford County Juvenile Detention Center provides a method for staff to privately report sexual abuse and sexual harassment of residents. Staff may privately call the 1-800 number or anonymously call law enforcement. This was corroborated through staff interviews and the Prea Compliance Manager.

Standard 115.352 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.

- a)1 Rutherford County Juvenile Detention Center has an administrative procedure that deals with grievances regarding sexual abuse or sexual harassment. This is done through the grievance process. This is documented in student handbook. All juveniles and staff know about the grievance process
- b)1 The facility allows the juvenile to file or submit a grievance anytime regardless of when the incident is alleged to occur. This is documented in the juvenile handbook. The staff and juveniles were aware that the juvenile could file a grievance regardless of when it occurred.
- b) 2 Rutherford County Juvenile Detention Policy allows a juvenile the use of a informal grievance process, a Rutherford County Supervisor is responsible for handling all juvenile grievances and may do so informally
- c) 1 The Rutherford County Juvenile detention center allows for a youth to submit a grievance to someone other than submitting to the staff member who is the subject of the complaint. All staff and juveniles interviewed stated this is the procedure and it is located in the student handbook.
- d) 1 The Rutherford County Juvenile Detention Center allows the supervisor 10 working days to review the grievance and make a decision. If the juvenile does not agree with or accept the decision, they have five working days to appeal to the Administrator, who will then have five working days to make a decision, which far exceeds the PREA standard. Staff and youth interviewed were aware of this procedure. This is documented in the Student Handbook.
- d) 2 In the past 12 months there have been 1 grievance filed that alleged sexual abuse
- d) 4 There were no extentions filed because there were no grievances filed regarding sexual abuse

- d) 6 The Agency notifies the juvenile when a decision has been made; there have been none in the past 12 months. However, this is documented in the Student Handbook.
- e)1 Agency policy and procedures are to allow third parties, including fellow juveniles, staff members, family members, attorneys, and outside advocates to assist residents in filing request for administrative remedies relating to allegations of sexual abuse and to file on behalf of the juvenile
- e) 2 Agency Policy and procedures require that if a juvenile declines to have third party assistance in filing a grievance alleging sexual abuse, including appeals on behalf of the juvenile, the agency documents the juvenile's decision to decline. This is located in the student handbook, being a juvenile an allegation of sexual abuse will be reported irregardless.
- e) 3 RCJDC Policy allows parents or legal gaurdians to file a grievance including appeals on behalf of the juvenile ; regardless of whether or not the juvenile agrees to having the grievance filed on his behalf, in which juvenile declined third-party assistance
- e)4 There have been no grievances filed during the past 12 months alleging sexual abuse where the juvenile declined third-party assistance. This is documented in the Student Handbook.
- f) 1 The RCJDC has established a policy for filing an emergency grievance alleging that a juvenile if subject to substantial risk of sexual abuse.
- f)2 The RCJDC has established a policy and procedures for emergency grievances alleging substantial risk of sexual abuse require an initial response within 24 hours
- f)3 There were no grievances filed in the past 12 months that required a 48 hour response
- f)4 There were no grievances filed therefore no 48 hour response
- f) 5 The agency policy and procedures for emergency grievances alleging substantial risk of sexual abuse or imminent risk of sexual abuse require a final agency decision be made in 5 days
- f) 6 There have been no grievances filed in the last 12 months that would have required a five day response
- g)1 The agency has a written policy that limits its ability to discipline a juvenile for filing a grievance alleging sexual abuse to occasions where the agency demonstrates that the juvenile filed the grievance in bad faith. Ththis is documented in the student Handbook.
- g)2 In the past 12 months there have been no grievances filed in bad faith. This policy is documented in the Student Handbook

Standard 115.353 Resident access to outside confidential support services

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

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

- (a) Rutherford County Juvenile Detention Center provides victim advocates for emotional support services, related to sexual abuse, by providing posters all around the detention center with the 1-800 Child Abuse Hotline number. All residents interviewed knew of their access to call the 1-800 Child Abuse Hotlinne Number. They are given a pamphlet with this information when they arrive at the detention center. The auditors were provided a copy of the pamphlets both in English and Spanish.
- (b) The Rutherford County Juvenile Detention Center informs all reidents of their mandatory reporting laws. This was cooborated by the juveniles that were interviewed and the PREA Compliance Manager.
- (c) The Rutherford County Juvenile Detention Center has attempted to enter into a memorandum of understanding or other agreements with community service providers that are able to provide residents with confidential emotional support services related to sexual abuse. The agency has copies of their attempts to enter into such agreements.
- (d) The Rutherford County Juvenile Detention Center provides reasonable and confidential access to their attorneys, or other legal representation and access to parents or legal guardians. This was cooborated by the juveniles interviewed and the Prea Compliance Manager.

Standard 115.354 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.

- (a) 1 The Rutherford County Juvenile Detention Center provides a method to receive third party reports of resident sexual abuse or sexual harassment. The juveniles are provided with the Child Abuse Hotline and may call at anytime.
- (a) 2 The Rutherford County Juvenile Detention Center publically distributes information on how to report resident sexual abuse or sexual harassment on behalf of residents. The agency has flyers and pamphlets and flyers. The agency has posters that provide the 1-800 Child Abuse Hotline posted around the facility. The posters are in English and Spanish. Also documented in Rutherford County Juvenile Deention Website, 2016 RCJDC SOP page 105.

Standard 115.361 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.

- (a) 1
The Rutherford County Juvenile Detention Center requires all staff to report immediately and according to agency policy immediately report and according to agency policy any retaliation any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred at the facility, whether or not it is part of the agency. This is documented in Rutherford County Juvenile Detention Policy and was also cooerated by the PREA Compliance Manager and all staff that were interviewed. This is covered in the training at Rutherford County Detention Center.
- (a) 2 The Rutherford County Detention Center requires all staff to report immediately and according to agency policy any retaliation against residents or staff who reported a incident.. This was cooerated by staff interviewed and the PREA Compliance manager. This is also documented in the Rutherforded County SOP.
- (a) 3 The Rutherford County Juvenile Detention Center requires all staff to report that may have contributed to an incident or realiation. This was corobarated by staff who were interviewed and the PREA Compliance Manager.
- (b) 1 Rutherford County Detention Center SOP policy requires all staff to comply with any mandantory child abuse reporting laws. Staff who were interviewed undersood this and was also corobarated by the PREA Compliance Manager.
- (c) 1 Rutherford County Juvenile Detention Center apart from reporting to designated supervisors and officials and designated state and local service agencies, agency prohibits staff from revealing any information related to sexual abuse to anyone other than to the extent necessary to make treatment, investigation, and other management decisions. Staff that were interviewed could corobarate this along with the PREA Compliance Manager.
Documented in 2016 SOP page 49, Employee Handbook, RCJDC SART.

Standard 115.362 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.

- (a) The Rutherford County Juvenile Detention Center learns that a resident is subject to a substantial risk of sexual abuse, it takes immediate action to protect the residents. The facility makes sure the victim is safe and separated from the alleged perpetrator. The facility calls the 1-800 number which initiates an investigation by DCS and law enforcement. There has been 1 report of sexual abuse at the Rutherford County Detention Center in the past 12 months. Rutherford County SOP documents this in their policy. All staff interviewed knew the appropriate and immediate actions to take if an incident occurred. This information was also corroborated by the PREA Compliance Manager.
- (b) There has been 1 incident of alleged sexual abuse reported at the Rutherford County Juvenile Detention Center that was unfounded during the past 12 months.

Standard 115.363 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.

- (a) Rutherford County Juvenile Detention Center has a policy that requires them to, if upon receiving an allegation that a resident was abused while confined in another facility they must notify the head of that facility, where the alleged sexual abuse occurred
- (b) Rutherford County Juvenile Detention Policy requires the facility notify the appropriate investigative body.
- (c) The agency requires this notification be made within 72 hours.
- (d) 1 Rutherford County Juvenile Detention requires all allegations received are investigated in accordance with PREA Standards.
- (e) 2 There have been no allegations from other agencies in the past 12 months to the Rutherford County Juvenile Detention Center. Documented in 2016 Rutherford County Juvenile Detention SOP page 106.

Standard 115.364 Staff first responder duties

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

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

Policy Review/Site Visit/Interviews

- a) 1 The Rutherford County Juvenile Detention Center has a first responder policy for allegations of sexual abuse.
 - The facility separates the victim and the abuser
 - Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence
 - If the abuse occurred within a specific time period that still allows for the collection of physical evidence, request that the victim not take any actions that could destroy any physical evidence, including , as appropriate , washing, brushing teeth, changing clothes, urinating, defecating, smoking drinking or eating.
 - If the abuse occurred within a time period that still allows the collection of physical evidence ,ensure the alleged abuser does not take any actions to destroy physical evidence, including as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.
 - This is documented in the Rutherford County Juvenile Detention Center Emergency Plan. Interviews with staff also corroborated that they knew the policy and procedure to follow as a first responder including all of the above.
- b) 1 The Rutherford County Juvenile Detention Center Policy requires that if the first responder is not a security staff member , that responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence Notify Security Staff. This is documented in the Rutherford County Juvenile Detention Center’s Emergency Plan. Staff interviews also corroborated this in their interviews.
- b) 2 Of the number of times a non-security staff was made aware of the allegations that a juvenile was sexually abused made in the last 12 months the first responder was not a non-security staff was a first responder: there were no incidents in the past 12 months at the Rutherford County Juvenile Detention Center.
- a) 3 Of those allegations responded to by a non-security staff , that number of times that staff member:
 - Requested the alleged victim not take any actions that could destroy evidence 0
 - Notify Security Staff- There were no alleged incidents in the past 12 months at the Rutherford County Juvenile Detention Center..

This was also corroborated through interviews with the staff and the PREA Compliance Manager. This is also documented in the SOP page 106.

Standard 115.365 Coordinated response

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

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

Policy Reviews/Interviews/Site Visit

- a) 1 The Rutherford County Juvenile Detention Center has a written Emergency Plan to to coordinate actions to an incident of sexual abuse among staff first responders, medical and mental health practitioners , investigators and facility leadership. This is documented in the Rutherford County Juvenile Detention Emergency Plan. The auditors were provided with the emergency plan. This standard was also corroborated by interviews with staff who knew about the Emergency plan. Documented in the SOP and Emergency plan.
Documented in 2016 SOP page 106.

Standard 115.366 Preservation of ability to protect residents from contact with abusers

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

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

Policy Review/Interviews/Site Visit

- (a) 1 The Rutherford County Juvenile Detention Center has a policy to protect all juveniles and staff who report sexual abuse or sexual harassment or cooperate with a sexual abuse or sexual harassment investigation from retaliation by other juveniles or staff. This is documented in the Rutherford County Juvenile Detention Policy.
- (b) 2 The agency designates a staff members or charges departments with monitoring of possible retaliation. Supervisory Staff along with the PREA Compliance Manager are charged with the issue of monitoring for possible retaliation.
- (c)3 The facility monitors the the conduct or treatment of all juveniles and staff who report sexual abuse and of juveniles who were reported to have suffered sexual abuse to see if there are any changes that may suggest possible retaliation by juveniles or staff. Yes, throughout their stay.
- (c) 4 If yes how long does the facility monitor the conduct or treatment. The PREA Compliancne Manager says this is monitored throughout the juveniles stay.
- (c) 5 The facility acts promptly to remedy any retaliation. Yes if there were any retaliation action would be taken immediately. c) 4 The facility continues to monitor beyond 90 days if the initial monitoring indicates a continued need. Yes , but is very unlikely that a juvenile would be at the facility for more then 14 days. Rutherford County Juvenile Detention Center is a short term secure facility
- c) 6 The number of times an incident of retaliation occurred during the past 12 months. Rutherford County Juvenile Detention reports there has been 1 reports of sexual abuse and 0 reports of retaliation in the past 12 months.

Standard 115.367 Agency protection against retaliation

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

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

corrective actions taken by the facility.

Policy Review/Interviews/Site Visit

- (c) 1 The Rutherford County Juvenile Detention has a policy to protect all juveniles and staff who report sexual abuse or sexual harassment or cooperate with a sexual abuse or sexual harassment investigation from retaliation by other juveniles or staff. Rutherford County Juvenile Detention Center Policy . (SOP)
- (d) 2 The agency designates a staff members or charges departments with monitoring of possible retaliation. Supervisory Staff along with the PREA Compliance Manager are charged with the issue of monitoring for possible retaliation.
- (c)3 The facility monitors the the conduct or treatment of all juveniles and staff who report sexual abuse and of juveniles who were reported to have suffered sexual abuse to see if there are any changes that may suggest possible retaliation by juveniles or staff. Yes, throughout their stay.
- (c) 4 If yes how long does the facility monitor the conduct or treatment. The PREA Compliancne Manager says this is monitored throughout the juveniles stay.
- (c) 5 The facility acts promptly to remedy any retaliation. Yes if there were any retaliation action would be taken immediately. c) 4 The facility continues to monitor beyond 90 days if the initial monitoring indicates a continued need. Yes , but is very unlikely that a juvenile would be at the facility for more then 14 days. Rutherford County Detention is a short term secure facility
- b) 6 The number of times an incident of retaliation occurred during the past 12 months. Rutherford County Detention Center states there have been no reports of retaliation in the past 12 months. Documented in the employee handbook, Training.

Standard 115.368 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.

Policy Review/Interviews/Site Visit

a)1 The Rutherford County County Juvenile Detention Center has a policy that juveniles who allege to have suffered sexual abuse are not placed in isolation. Rutherford County Juvenile Detention has a policy that prohibits any juvenile from being placed in isolation. Rutherford County Juvenile Detention center states, however there have not been any allegations in the past 12 months. Staff and PREA Compliance Manager were all aware of this policy and could articulate their understanding of the policy.

Standard 115.371 Criminal and administrative agency investigations

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

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

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

Policy Review/Interviews/Site visit

- (a) 1 When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, it shall do so promptly, thoroughly, and objectively for all allegations, including third party and anonymous reports.
Rutherford County Juvenile Detention Center works cooperatively and collaboratively as a multidisciplinary team to ensure an effective coordinated response to child sexual abuse defined in TCA-9-4-213, 37-1-607 . The Rutherford County District Attorney, The Rutherford County Sheriffs Office, Police Department, Rutherford County Juvenile Court, and Rutherford County Childrens Advocacy Center (which represents all CAC Services, such as forensic interview, mental health, and victim advocacy /support components).
Rutherford County does their own administrative investigations if they do not rise to the level of criminal investigations which would fall under the grievance process.
- (b) Where sexual abuse is alleged , the agency shall use investigators who have received special training involving juvenile victims pursuant to standard 115.334. (members of the CPIT receive special sexual abuse training).
- (c) Investigators shall gather and preserve , direct and circumstantial evidence , including any DNA evidence and any other electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator. This is documented in the Rutherford County Juvenile Detention Center Policy and is also documented in the Child Protective Investigative Team (CPIT) Protocol
- (d) The facility shall not terminate an investigation solely because the source of the allegation recants the allegation. This is documented in Rutherford County SOP and CPIT and law enforcement policies.
- (e) When the quality of evidence appears to support criminal prosecution, the facility shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.
Rutherford County Detention works directly with the CPIT Team, all interviews would be coordinated to deter any obstacle to criminal prosecution. This is documented in the Rutherford County Policy SOP and CPIT Protocol. This was also corroborated by interviews with members of the CPIT Team including an assistant district attorney, a mental health representative, medical personnel and CAC staff, as well as staff of the Rutherford County Juvenile Detention Center.
- (f) The credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as a resident or staff. No agency shall require a juvenile who has alleged sexual abuse to submit to a polygraph examination or any other truth telling device as a condition for proceeding with the allegation. This is documented in the Rutherford County Policy and CPIT Protocol.
- (g) Administrative Investigations:
1. Shall include an effort to determine whether staff actions or failures to act contributed to the abuse and
2. Shall be documented in a written report that includes a description of physical testimonial evidence , the reasoning behind credibility assessments and Investigative facts and findings.
- (h) Criminal Investigations shall be documented in written report that contains a thorough description of physical evidence , testimonial and documentary evidence where feasible. This is documented in Rutherford County Juvenile Detention Policy.
- (i) Substantiated allegations of conduct that appear to be criminal shall be referred for prosecution. This is documented in the Rutherford County Juvenile Detention Policy as well as the CPIT Team. This was also corroborated by interviews with members of the CPIT Team and interviews of Rutherford County Staff.
- (j) The agency shall maintain all written reports referenced in paragraphs (g) and (h) of this section for as long as the alleged abuser is incarcerated or employed by the agency., plus five years , unless the abuse was committed by a juvenile resident and applicable law requires a shorter time period. There has been 1 report of sexual abuse made at the Rutherford County Juvenile Detention Center in the past 12 months. Juvenile files are stored indefinitely, so the incident would be stored indefinitely. Rutherford County Juvenile Detention Center Policy and interview with the PREA Compliance Manager document this as well.
- (k) The departure of the alleged abuser or victim from employment or control the the facility does not provide basis for terminating an investigation. This is documented in Rutherford County Policy and was also corroborated by interviews with assistant district attorney and other members of the CPIT Team.
- (l) Any State entity or Department of Justice component that conducts such an investigation shall do so pursuant to the above requirements. Documented by Rutherford County Policy /Sheriff and interviews with CPIT members.
- (m) When outside agencies investigate sexual abuse, the facility shall cooperate with outside investigators and shall endeavor to remain informed about the process of the investigation. Rutherford County Staff and interviews with the PREA Compliance Manager corroborate this information.
Documented in the Rutherford County Juvenile Detention SOP page 49.

Standard 115.372 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.

Policy Review/Interviews/Site Visit

- (a) Rutherford County Juvenile County Juvenile Detention shall impose no standard of evidence higher than a preponderance of evidence in determining if the allegation of sexual abuse or sexual harassment are substantiated. Documented in the Rutherford County SOP . The administrative investigation would be done by the PREA Compliance Manager at the Rutherford County Juvenile Detention Center. Quality Overview.

Standard 115.373 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.

Policy Review/Interviews/Site Visit

- (a) Following an investigation into a juveniles allegation of sexual abuse suffered in the Rutherford County Juvenile Detention the juvenile shall be informed as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. This is documented in Rutherford County Detention Policy and in the Student Handbook. The PREA Compliance manager also corroborated this in the interview. There have been no incidents in the past 12 months so there was no documentation in the juvenile files
- (b) If the Rutherford County Juvenile Detention does not perform the investigation they will request the relevant information from Internal Affairs or other outside agency in order to inform the juvenile. This is documented in Rutherford County Juvenile Detention Policy. Supported by the interview with the PREA Compliance Manager.
- (c) Following a juveniles allegation that a staff member has committed sexual abuse against the juvenile, the facility shall subsequently inform the juvenile (unless the facility has determined the allegation is unfounded)
Whenever:
 1. The staff member is no longer posted within the juveniles housing unit;
 2. The staff member is no longer employed by the facility.
 3. The facility learns that the staff member has been indicated on a charge related to sexual abuse within the facility;
 4. The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility.
 This information is documented in the Rutherford County Juvenile Detention Policy and corroborated by the PREA Compliance Manager.
- (d) Following a juveniles allegation that he or she has been sexually abused by another juvenile the facility shall subsequently inform the alleged victim whenever:

1. The agency learns that the alleged abuser has been indicated on a charge of sexual abuse within the facility; or
2. The facility learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

This information is documented in the Rutherford County Juvenile Detention Policy and corroborated by the PREA Compliance Manager. However, there has not been an allegation of sexual abuse or sexual harassment in the Rutherford County Juvenile Detention Center in the past 12 months so there were no reports to review or notifications to review.

- (e) A facility's obligation to report under this standard shall terminate if the juvenile is released from the facility's custody. This is documented in the Rutherford County Juvenile Detention Policy SOP page 106 and Corroborated by interview with the PREA Compliance Manager.

Standard 115.376 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.

Policy Review/Interviews/Site Visit

- (a) Rutherford County Juvenile Detention employees shall be subject to sanctions up to and including termination for violating facility sexual abuse or sexual harassment policy. Documented by Rutherford County Juvenile Detention Policy and corroborated by the PREA Compliance Manager's interview. There have no reports of sexual abuse or sexual harassment at Rutherford County Juvenile Detention in the past 12 months therefore there were no disciplinary sanction forms to review.
- (b) Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse. This is documented in the Rutherford County Juvenile Detention Employee Manual. There have been no reports of sexual abuse against staff in the past 12 months therefore there were no staff terminated for violating the facility's sexual abuse or sexual harassment policies. There were no staff who received sanctions or resigned due to sexual abuse or sexual harassment allegations during the past 12 months. This was corroborated with random staff interviews and interview with the PREA Compliance Manager.
- (c) Disciplinary sanctions for violations of facility policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff members disciplinary history and the sanctions imposed for comparable offenses by staff with similar histories. This is documented in the Rutherford County Juvenile Detention Employee Manual. This was also corroborated in the interviews with the PREA Compliance Manager and other staff interviews. There have been no allegations and no sanctions related to sexual abuse or sexual harassment in the past 12 months. Therefore, there was no documentation to be reviewed.
- (d) All terminations for volunteers of facility sexual abuse or sexual harassment policies, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and relevant to any relevant licensing bodies. This is documented in the Rutherford County Juvenile Detention Volunteer Handbook. There have been no allegations of sexual harassment or sexual abuse in the past 12 months. Therefore there were no documents to be reviewed. This was also corroborated by interviews with The PREA Compliance Manager and Volunteer interviews. This is documented in the Rutherford County Juvenile Detention Center SOP page 106. This is also documented in the employee handbook. This is also covered in the PREA training the employees received and sign off on that they have received. This documentation was observed by the PREA auditors. Documented in Rutherford County 2016 SOP Employee Handbook and training.

Standard 115.377 Corrective action for contractors and volunteers

- Exceeds Standard (substantially exceeds requirement of standard)

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

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

Policy Review/Interviews/Site Visit

- (a) Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with juveniles and shall be reported to law enforcement agencies, unless the activity is clearly not criminal, and to relevant licensing bodies. This is documented in the Rutherford County Juvenile Detention Center SOP. All contractors and volunteers go through the same PREA Training as staff and are held to the same standard. Volunteers and Contractors must sign off after they receive the PREA Training and acknowledge ZERO TOLERANCE and the understanding they are held to the same standard as staff up to prosecution. This was also corroborated by The PREA Compliance Manager interviews, interviews with volunteers and contractors.
- (b) The facility shall take appropriate remedial measures, and shall consider whether to prohibit further contact with juveniles, in the case of sexual abuse or sexual harassment policies by a contractor or volunteer. This is documented in the Rutherford County Juvenile Detention Human Resource Policy. There is Zero Tolerance for sexual abuse or sexual harassment by volunteers and contractors and appropriate measures up to prosecution is in place. This was corroborated by interviews with PREA Compliance Manager, Volunteer Interviews. Rutherford does not contract with outside agencies. This was corroborated by the PREA Compliance Manager and Volunteers that were interviewed by the auditors as well as documentation signed off on by the volunteers that they had received PREA training and understood the training.

Documented in the 2016 SOP page 106.

Also documented in training files..

Standard 115.378 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.

Policy Review/Interviews/Site Visit

- (a) Rutherford County Juvenile Detention Center does not discipline any juvenile in the detention center. This is documented in the SOP Policy and corroborated by the PREA Compliance Manager. Rutherford County Juvenile Detention Policy SOP Juvenile Detention has Zero Tolerance Policy on Sexual abuse. This was also corroborated by staff interviews and juvenile interviews as well as interview with PREA Compliance Manager. Rutherford County Juvenile Detention Center does not discipline any juvenile the facility. Therefore there were no sanctions to review. This was corroborated by the PREA and compliance manager and documented in the SOP.
- (b) N/A Rutherford County Juvenile Detention Center does not discipline any juvenile resident in the facility. This is documented in the Rutherford Juvenile Detention Policy as well as the Student Handbook.
- (c) If the facility offers therapy, counseling or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to offer the offending resident participation in such interventions. The agency may require the juvenile in such interventions as a condition of access to any rewards based behavior management system or other

behavioral based incentives, but not as a condition to access general programming or education.

- (d) The agency does not discipline any juvenile in the Rutherford County Juvenile Detention Center.. This is documented in Rutherford County Juvenile Detention Policy.(SOP) and cooperated by the PREA Compliance Manager and other staff interviews.
- (e) Rutherford County Juvenile Detention Center does not discipline any juvenile in the facility, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged incident occurred shall not constitute lying even if an investigation does not establish sufficient evidence to substantiate the allegation. Documented in Rutherford County Juvenile Detention; documents this part of the standard. The Rutherford County Juvenile Detention prohibits all disciplinary action for a report made in good faith.
- (f) An agency may, in its discretion, prohibit all sexual activity between juveniles and may discipline juveniles for such activity. An agency may not constitute, however, deem such activity to constitute sexual abuse if it determines that the activity is not coerced. Consensual activity is not considered to be sexual abuse although it violates Rutherford County Juvenile Detention Policy unless there is a four year age difference. Policy subjects the juvenile to sanctions. There is to be no sexual contact between juveniles at the facility. This is also documented in the Student Handbook and corroborated by student and staff interviews.

Rutherford County Juvenile Detention does not discipline any juvenile residents in the facility.

Standard 115.381 Medical and mental health screenings; history of sexual abuse

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

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

Policy Review/Interviews/Site Visit

- (a) If the screening pursuant to 115.341 indicates that a juvenile has experienced prior victimization, whether it occurred, in an institutional setting or in the community, staff shall ensure that the resident is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening, This is documented in the Rutherford County Juvenile Detention Center policy 2016 page 107. The screening instrument at the Center indicates whether a youth has been sexually abused in the past. If the juvenile discloses an incident of sexual abuse they will be referred to medical and mental health staff within 14 days of the screening. In the past 12 months any juveniles that disclosed prior sexual abuse were referred to the appropriate parties.
- (b) If the screening pursuant to 115.341 indicates that a resident has previously perpetrated sexual abuse, whether in an institutional setting or community, staff shall ensure the juvenile is offered a follow-up meeting to ensure that the juvenile was offered a meeting with a mental health practitioner within 14 days. Rutherford County Juvenile Detention makes this requirement in policy. There have been youth that have disclosed prior perpetration during the intake screening at the Rutherford Juvenile Detention Center in the past 12 months. This is learned through the Victimization Assessment. All reports of prior victimization are reported to DCS.
- (c) Any information related to sexual victimization or abusiveness, occurred in an institutional setting shall be strictly limited to medical and mental health practitioners, and other staff as necessary to inform treatment plans, management decisions, including housing, bed, work, education and program assignments, or as otherwise required by Federal, State or local law. Rutherford County Detention documents the information gained from the intake assessment be given on a need to know basis, for housing, bed, work, educational decisions and to ensure the safety of all the juveniles.
- (d) Medical and Mental health practitioners shall obtain informed consent from juveniles before reporting information about prior victimization that did not occur in an institutional setting, unless the juvenile is under the age of 18 Rutherford County houses juveniles between ages 8 and 18. All staff interviewed knew they were mandatory reporters of child sexual abuse and sexual harassment. This is also documented in the SOP page 107.

Standard 115.382 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.

Policy Review/Interviews/Site Visit

- (a) Juvenile victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners, according to their professional judgement. This is documented in the Rutherford County Juvenile Detention Policy 2016 page 106 and CPIT Team Protocol, which includes medical and mental health professionals. This was also corroborated through interviews with members of the CPIT Team, Medical and Mental Health members, and Law enforcement interviews.
- (b) If no qualified medical or mental health practitioners are on duty at the time the report is made, staff first responders shall take preliminary steps to protect the victim pursuant to 115.362 and shall immediately notify appropriate medical and mental health practitioners. Rutherford County Juvenile Detention Policy states that first responders are to make sure the alleged victim is safe. All first responders interviewed could articulate the actions they would take to protect the victim. Rutherford County Juvenile Detention and the CPIT Team includes medical and mental health practitioners. These members are available 24/7. The region has a Hospital where medicals are conducted and if needed a child may be transferred to Nashville to Our Kids Clinic depending on their specific situation.
- (c) Juvenile victims of sexual abuse while incarcerated shall be offered timely information about timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professional accepted standards of care, where medically appropriate. Rutherford County Juvenile Detention Center works with the CPIT medical professionals to ensure that alleged victims of sexual abuse are offered timely medical treatment and all of the above if an incident were to occur. The staff at Rutherford County Juvenile Detention Center know and could articulate their necessary duties to ensure that the juvenile receive immediate medical care and treatment. Interviews with staff, CPIT members. The PREA Compliance Manager also corroborated the above as does the documented CPIT with Policy.
- (d) Treatment services shall be provided to the victim, without financial cost regardless if the victim names the abuser or cooperates with any investigation arising out of the incident. Rutherford County Policy, Rutherford County Sheriff’s and the CPIT Protocol state victims are provided all medical services from an incident of sexual abuse with no financial cost, no matter the circumstances. This was corroborated with member of the CPIT Team who were interviewed, both medical and mental health practitioners. Documented in the Rutherford County 2016 SOP page 106.

Standard 115.383 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.

Policy Review/Interviews/Site Visit

- (a) The detention center shall offer medical and mental health evaluation and, as appropriate, treatment to all juveniles who have been victimized by sexual abuse in an juvenile facility. This is documented in the RCJDC SART. Rutherford County Detention Policy documents that juveniles will receive medical and mental health evaluations who have been victimized at any juvenile facility. The CPIT also corroborates through interviews with CPIT members. (Child Protective Investigative Team).The juvenile would receive

evaluations from Safe/Sane nurses and mental health services through the local mental health center in Rutherford County and provide SANE nurses. Rutherford St. Thomas has three SANE nurses and one is always on call. A victim advocate is provided by the Guidance Center in Rutherford County. Youth who are very young would be transported to Our Kids in Nashville. Entities from both these parties were interviewed by the auditors.

- (b) The evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody. Rutherford County Policy documents this information. Interviews with medical and mental health staff also confirm this information. The local mental health provider does not provide treatment for abusers. The abusers will have to have outside mental health treatment. There were no incidents reported in the past 12 months therefore there were no other records to review.
- (c) The facility shall provide such victims with medical and mental health services consistent with community level of care. Rutherford County Juvenile Detention Center Policy and CPIT Protocol both document that the juvenile receive care as all community residents. There have been no incidents reported in the last 12 months therefore, there were no records to review.
- (d) Juvenile victims of vaginal penetration while incarcerated shall be offered pregnancy tests. This is documented in the Rutherford County Juvenile Facility Policy and CPIT Protocol. There have been no incidents reported in the past 12 months therefore there were no other documents to review.
- (e) If pregnancy results from conduct specified in paragraph (d) of this section, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services. Medical and Mental health members of the Rutherford County Detention Center CPIT Team were interviewed and stated the juveniles would receive all medical services provided by the safe/sane nurses and mental health services by the mental health practitioner. There were no incidents of reports of sexual abuse at the Rutherford County Juvenile Detention Center in the past 12 months therefore there were no juveniles to interview.
- (f) Treatment services of sexual abuse victims while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate. This is done by the Safe/Sane nurses during the forensic medical exam. There have been no reports in the past 12 months at the Rutherford County Juvenile Detention therefore there was no other documentation to review.
- (g) Treatment services shall be provided to the victim without financial cost and regardless of whether the victim cooperates with any investigation arising from the incident. This is documented in Rutherford County Juvenile Detention Policy as well as the CPIT Team Members. There were no reports in the past 12 months verified by the interview with the PREA Compliance Manager and therefore there were no victims to interview or other documentation to review.

The facility shall attempt to conduct a mental health evaluation of all known juvenile on juvenile abusers within 60 days of learning of such and members of the CPIT Team.

This information came from multiple interviews, CAC, Law enforcement, Mental Health providers, Safe/Sane nurses. This information was also corroborated by the PREA Compliance manager and documented in the Rutherford County Juvenile Detention Center SART.

Standard 115.386 Sexual abuse incident reviews

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

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

Policy Review/Interviews/Site Visit

- (a) The facility shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has been substantiated, unless the allegation has been determined to be unfounded. There have been no reports of sexual abuse at the Rutherford Juvenile Detention Center in the past 12 months. However, they have set up a procedure to review an incident review if an incident occurs. The PREA Compliance Manager stated the review would occur by her. The PREA Compliance Manager is also the Director of the Detention. There were no incidents reported in the past 12 months. Therefore there were no other documents to review. This is documented in the RCJDC SOP page 106.
- (b) Such reviews shall ordinarily occur within 30 days of the conclusion of the investigation: There have been no allegations at the Rutherford County Juvenile Detention Center of sexual abuse in the past 12 months and therefore there have been none to review. This information came from the interview with the PREA Compliance Manager.
- (c) The facility shall implement recommendations for improvement, or shall document reasons for not doing so. In the interview with

the PREA Compliance Manager she stated there have been no sexual abuse allegations in the past 12 months and therefore there have been no reviews. However, the Rutherford County Detention Center has this in policy and will definitely review any incident of sexual abuse and look for ways to improve if an incident occurred.

- (d) Documented in the 2016 Rutherford County Juvenile Detention SOP page 106. Documented in the Rutherford County Juvenile Detention SART.

Standard 115.387 Data collection

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

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

Policy Review/Interviews/Site Visit

- (a) Rutherford County Juvenile Detention states the facility shall collect accurate, uniform data for every allegation of sexual abuse at the facility using a standardized instrument and set of definitions. The incident based data shall include, at minimum, the data necessary for all questions from the most recent version of Survey of Sexual Violence conducted by the Department of Justice. The form the Department of Children's Services recommended.

The Agency collects accurate data for every allegation of sexual abuse at facilities under its control using a standardized instrument and set of definitions. Rutherford County Juvenile Detention uses their data system to enter their data. The instrument includes at a minimum the data necessary to answer all questions from the most recent survey of the Survey of Sexual Violence conducted by the Department of Justice. There has been 1 allegation of abuse in the Rutherford County Juvenile Detention Center in the past 12 months. The allegation was investigated and deemed unfounded. The system for review is in place.

- (b) The agency shall aggregate the incident based data at least annually. Rutherford County Juvenile Detention Center requires this data to be aggregated annually. There has been 1 allegation of sexual abuse at the Center in the past 12 months, and incident is kept on the data base.

D The agency shall maintain, review, and collect data as needed from all available incident based documents, including reports, investigation files, and sexual abuse incident reviews. Rutherford County Policy requires this to be done. There has been 1 incident of alleged sexual abuse at the Rutherford County Juvenile Detention in the past 12 months.

- (e) The agency does not make any contracts with confinement.

Therefore this is N/A

- (e) Upon request, the agency shall provide all such data from the previous calendar year to the Department of Justice no later than June 30. The Agency shall provide all data to the Department of Justice from the previous year to the Department of Justice by June 30 2017. This information is documented in the Rutherford County Juvenile Detention Center Compliance manager and is documented in the Agencies SOP.

This documentation will be located on the Rutherford County Juvenile Detention Center website: The Rutherford County Policy on ZERO TOLERANCE is also on this website as is how to report suspected abuse.

Standard 115.388 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.

Policy Review/Interviews/Site Visit

- (a) The agency shall review data collected and aggregated pursuant to 115.387 in order to access and improve effectiveness of its sexual abuse prevention, detection , and response policies, practices, and training including :
 1. Identifying Problem areas;
 2. Taking Corrective Action on an on-going basis ;and
 3. Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole.

The Rutherford County Juvenile Detention Center prepares an annual report that reflects all data collected and aggregated pursuant to policy 115.387. in order to make improvements, identify problems and prepares an annual report. Documentation and Policy. The Rutherford County Detention Center shall review all data collected and make improvements of its sexual abuse prevention, detection ,response and training and make all changes that may be collected from the data.This data will be on the Rutherford County Juvenile Detention website. This information was corroborated by the PREA Compliance Manager and the Captain of the Center.This is also documented in the Rutherford County Juvenile Detention Center SOP.

Standard 115.389 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.

Policy Review/Interviews/Site Review

- (a) The agency shall require that data collected pursuant to 115.387 is securely retained.
The Rutherford County Juvenile Detention Center has a PREA Cabinet in the PREA Compliance Managers Office and any PREA data will be kept in a locked secure file cabinet. Interview with PREA Compliance Manager. This is corroborated by the PREA Compliance Manager and the SOP Manual.
- (b) The agency shall make all aggregated data from facilities under its control or contracts with readily available to the public at least annually by website or other means. The Rutherford County Juvenile Detention Center aggregate data will be on the 2017 Rutherford County Website under the Juvenile County Link along with their Zero Tolerance Policy.
- (c) Before making Public aggregated data , the agency shall remove all personal identifiers. From the Rutherford County Policy or the Rutherford County Sheriffs Office and was corroborated by the PREA Compliance Manager Interview.
- (d) The agency shall maintain data collected pursuant to 115.387 for atleast 10 years unless Federal, State or local law requires other
The Rutherford County Juvenile Detention Center requires all PREA related data be maintained for atleast 10 years.
This information was gathered from the PREA Compliance Manager,

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.

_____ *Martin Harrelson Jennifer Hamilton* _____

_____ *5/16/2017* _____

Auditor Signature

Date