

PREA AUDIT REPORT Interim Final

ADULT PRISONS & JAILS

Date of report: 12/11/16

Auditor Information			
Auditor name: Juanita Thornton			
Address: 1830 Citrus Orchard Way Valrico, Fl. 33594			
Email: wspoon50@hotmail.com			
Telephone number: 813-333-1931			
Date of facility visit: November 14-16, 2016			
Facility Information			
Facility name: Marion County Jail			
Facility physical address: 700 NW 30 th Ave, Ocala, Florida 34475			
Facility mailing address: <i>(if different from above)</i> Click here to enter text.			
Facility telephone number: 352-351-8077			
The facility is:	<input type="checkbox"/> Federal	<input type="checkbox"/> State	<input checked="" type="checkbox"/> County
	<input type="checkbox"/> Military	<input type="checkbox"/> Municipal	<input type="checkbox"/> Private for profit
	<input type="checkbox"/> Private not for profit		
Facility type:	<input type="checkbox"/> Prison	<input checked="" type="checkbox"/> Jail	
Name of facility's Chief Executive Officer: Major Mike Rolls			
Number of staff assigned to the facility in the last 12 months: 296			
Designed facility capacity: 1924			
Current population of facility: 1038			
Facility security levels/inmate custody levels: Maximum, Medium, Minimum			
Age range of the population: <18 + Over			
Name of PREA Compliance Manager: Lt. Jill Ross		Title: PREA Compliance Manager; Classification Supervisor	
Email address: jross@marionso.com		Telephone number: 352-351-8077	
Agency Information			
Name of agency: Marion County Sheriff's Office			
Governing authority or parent agency: <i>(if applicable)</i> Click here to enter text.			
Physical address: 700 NW 30 th Ave., Ocala, Fl., 34475			
Mailing address: <i>(if different from above)</i> Click here to enter text.			
Telephone number: 352-351-8077			
Agency Chief Executive Officer			
Name: Emery Gainey		Title: Sheriff	
Email address: egainey@marionso.com2		Telephone number: 352-732-8181	
Agency-Wide PREA Coordinator			
Name: Mike Forte		Title: PREA Coordinator	
Email address: mforte@marionso.com		Telephone number: 352-351-8077	

AUDIT FINDINGS

NARRATIVE

Juanita Thornton, Certified PREA Auditor conducted the PREA audit of the Marion County Sheriff's Office, Marion County Jail facility on Nov 14-16, 2016. Prior to this inspection, Mike Forte, the PREA Coordinator provided me with policies, procedures, and all facility documentation related to each standard for review. There was continuous communication with the PREA Coordinator during this review period in preparation for the on-site visit. Upon entry into the Marion County Jail, staff member instructed auditor on the PREA protocol at Marion County Jail. Auditor was required to signify that I have been advised and understand the zero-tolerance policy. Auditor was also informed that all that enter this facility are required to signify compliance and given a card informing staff that they have been notified. Upon re-entering the facility, it is required that card be displayed to ensure that awareness of the PREA policy at Marion County. On the first day of the audit, a meeting was held to introduce myself and to familiarize the facility staff with the audit process. The following persons were in attendance:

Major Mike Rolls, Corrections Bureau Chief
Captain Clint Bowen, Corrections Assistant Bureau Chief
Captain Robert Walters, Watch Commander
Captain James Pogue, Accreditation
Lieutenant Ken Starling, Assistant Watch Commander
Lieutenant Richard Byrd, Food Services
Lieutenant Stephen Walker, Facility Services
Sergeant Joe Van Weelden, Training
Sergeant Mike Joyner, Farm
Sergeant Matthew Barry, Food Services
Investigator Rhonda Stroup, Investigations
Judge Cochran, Programs
Torey Richards, Mental Health
Marcia Harrison, Medical
Robin Martinez-Williams, Contract Monitor
Connie Ripley, Watch Command Secretary
Melissa Coker, Medical
Tonya Pogue, Jail Secretary
Mike Forte, PREA Coordinator
Lieutenant Jill Ross, PREA Compliance Manager, Classifications

After introductions were completed, the auditor expressed her appreciation for the allowing her to participate in this audit cycle for Marion County Jail. She explained her position in the PREA process. After a brief discussion about the audit, the team proceeded to tour the facility. The jail is of a single building design with a rated capacity of 1924 inmates. The population at the time of audit was 1038. During the audit, I met with both staff and offenders to verify observations and/or to clarify questions concerning facility operations. At the time of this audit, there were 2 transgender/intersex offenders in custody.

Twenty-nine inmates were interviewed. No issues of safety, medical care, or environmental concerns were presented to the visiting auditor. The inmates were relaxed and comfortable, appreciative of the fair and courteous treatment they received from staff, accepting of the agency's rules and regulations, and offered no recommendations for improvement of their environment.

Twenty-two staff members were interviewed during the two days of the audit. This included both specialty staff, medical and mental health personnel, canteen, food service and civilian personnel. All staff was extremely upbeat, positive, and welcoming to my arrival. Staff indicated that they have participated in fire drills, have had appropriate

training that corresponded with their employment needs, had the opportunity for advancement, and expressed satisfaction overall with their job environment. There were no criticisms related to the audit. All staff was knowledgeable in their areas and could define their duties.

The number of allegations received in the past twelve-month period of an inmate being sexually abused/sexual harassed were 18. All allegations were investigated by Sheriff's Office investigators, and one was referred for criminal investigation. While conducting the investigations, investigators followed all protocols, policies, and guidelines for sexual abuse and sexual harassment accusations.

After the audit, an exit briefing was conducted to discuss the audit findings. Based on the this audit, documentation and interviews of staff and inmates, Marion County Jail has met 41 standards, 3 of which are exceeded, and 2 that do not apply to this facility.

In addition, it should also be noted that this auditor was informed by PREA Coordinator Forte that prior to my arrival and not during this audit cycle there was an allegation of sexual assault on an inmate by another inmate (juvenile). Criminal charges maybe pending. This incident will be annotated in the Marion County Jail next audit cycle.

DESCRIPTION OF FACILITY CHARACTERISTICS

Located in the heart of Central Florida, the Marion County Sheriff's department complex provides booking and custodial services for the Marion County Sheriff's Office, the Ocala Police Department, the Dunnellon Police Department, the Belleview Police Department, the Florida Highway Patrol, the Department of Transportation, the Fish and Wildlife Conservation Commission, the United States Marshal Service, and any other agency making arrests within the county. The Jail, along with an Emergency Operations Center, Haz-Mat and emergency response team equipment, staging areas, and office and training facilities, is secured by gated entries on this complex. There are three pedestrian gates and two sally ports for vehicle and pedestrian traffic. There are no towers or armed posts. All incoming arrestees are subject to body scanning.

Razor wire surrounds the main portion of this brick and concrete building, which opened as the Marion County Jail in 1985. With subsequent additions, there is now over 263,000 feet of space with both celled and dormitory style housing for both male and female offenders, as well as youthful offenders. Video visitation is provided for community members in a stand-alone building outside of the established jail structure. The Corrections Bureau is responsible for providing the care, custody and control of the inmates incarcerated in the Marion County Jail. The jail exists for the detention of persons as required by law. Confined in the jail are persons serving time for crimes for which they have been convicted, and others who are awaiting trial. Some of these inmates will be transferred to other county or municipal facilities, or transferred to the state prison system. In keeping with the philosophy of the Marion County Sheriff's Office, convicted prisoners are sentenced to jail as punishment for their crime and will be treated in such a manner as to provide maximum security without undue discomfort. While the Marion County Jail is operated under a "No Frills" concept, all inmates are treated in a humane and courteous manner without regard to personal prejudices and feelings. The primary goal of the Marion County Jail is to protect and maintain the peace and security of the community.

The primary responsibility of providing care, custody, and control of between 1,400-1,800 inmates is provided by the Custody and Security Division which includes operating four (4) shifts on a 24 hour/7-day basis.

The Civil Division is comprised of the Civil Process and Bailiff Services. The Civil Process and Bailiff Services' units, working from the Marion County Judicial Center, serve all civil process directed to the Sheriff within Marion County and provide security to the judiciary as well as maintain custody over inmates brought before the courts. Civil Deputies and Bailiffs are sworn law enforcement officers, who maintain their state law enforcement certifications the same as patrol deputies.

SUMMARY OF AUDIT FINDINGS

The Marion County Jail has met all the standards that apply to this facility and is in compliance with 41 standards met or exceeded with 2 non-applicable.

Number of standards exceeded: 3

Number of standards met: 38

Number of standards not met: 0

Number of standards not applicable: 2

Exceeded

115.11

115.18

115.33

Not Applicable

115.12

115.52

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

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

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

The Marion County Jail has written policies and directives mandating zero tolerance towards all forms of sexual abuse and sexual harassment. This is evidenced in policies 6603, 2078, 6723, and 6631. In every interview conducted by the auditor, staff and inmates were aware of the policy of the facility of zero tolerance and were aware of prohibited behaviors regarding sexual assault and harassment. Staff are trained annually and the policies are made readily available to the inmate population through highly visible signage. The Marion County Jail continues to ensure the safety of all inmates and staff by enhancing digital camera surveillance, notification upon entry, within 30 days, notification of all those that enter Marion county jail including professional visitors, continuous training through electronic mail, annually during in-service training, and the purchase of PREA booklets for every staff member to have in their possession as a guide.

Marion County has a designated PREA Coordinator and PREA Compliance Manager who have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards. The coordinator supplies more than sufficient amounts of materials for staff to ensure compliance and training.

Standard 115.12 Contracting with other entities for the confinement of inmates

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

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

Not Applicable. Marion County does not contract with other entities for the confinement of inmates.

Standard 115.13 Supervision and monitoring

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

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

The PREA Compliance Manager and Jail Administrator provided daily activity reports, staff rosters, and documentation of supervisor rounds that provided sufficient evidence of a staffing plan that considers generally accepted detention practices, physical plant, inmate population and is reviewed annually. In the previous 12-month period, there was no indication of change to the policy, procedure or plan. The Jail Administrator and PREA Compliance Manager are notified if a modification is necessary.

Standard 115.14 Youthful inmates

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

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

The Marion County Jail has procedures in place to separate youthful offenders from the adult population. Juvenile offenders are separated by sight, sound, and physical contact from adult offenders. Marion County Schools provide education services to the facility, which operates entirely in the juvenile housing wing.

Standard 115.15 Limits to cross-gender viewing and searches

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

- Does Not Meet Standard (requires corrective action)

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

Marion County does not conduct cross-gender strip searches or cross-gender visual body cavity searches. The auditor observed half walls in the showers and toilets that afforded inmates privacy. Additional height was added to the walls or extended where there may have been a loss of privacy. Staff and inmate interviews revealed that opposite gender staff announces their presence when entering the living areas, and observed by this auditor to be factual.

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

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

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

Every inmate is afforded the opportunity to participate in, or benefit from, the Marion County Jail's effort to prevent, detect, and respond to sexual abuse and sexual harassment. Intake screening identifies each inmate's ability to read, write, see, and hear. Upon detection of a disability or limited English proficiency, the PREA Coordinator is contacted and will contact the inmate. Accommodations are made on a case by case basis. No inmate interpreters are used by staff to interpret or translate the report of sexual abuse.

Standard 115.17 Hiring and promotion decisions

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

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

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

Criminal background checks are conducted as a prerequisite for all employees, contractors, and volunteers who come in contact with the offender population. All volunteer and contract re-checks are conducted annually and are up to date.

Standard 115.18 Upgrades to facilities and technologies

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

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

Marion County Jail purchased \$80,000.00 in cameras and equipment in 2014. They presently have over 700 cameras installed in the facility. During this year through 2017, Marion County will be installing 40 more digital cameras to enhance surveillance of the facility and housing. To ensure that everything is being done to provide a safe and secure environment for inmates that are in their custody, additional walls have been constructed to provide privacy to those areas such as the toilet, visitation, and showers areas without compromising security. Continuous avenues have been addressed to enhance safety and security, to include audio ability, providing enhanced responsibility.

Standard 115.21 Evidence protocol and forensic medical examinations

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

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

All victims of sexual abuse are offered access to forensic medical examinations. Policy dictates that the examinations are offered without cost to the victim. There were 0 exams conducted by Forensic Medical Examiners, SANEs/SAFEs or any qualified medical practitioners in the past 12 months. Marion County Jail also provides a victim advocate if the need arises.

Standard 115.22 Policies to ensure referrals of allegations for investigations

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

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

The Marion County Jail has policies in place to ensure proper referral of allegations for investigation either administratively or criminally. In this audit period, there were a total of 18 allegations of sexual abuse and sexual harassment received. 17 were administratively investigated and 1 criminal investigation whose outcome is pending.

Standard 115.31 Employee training

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

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

The Marion County Jail trained approximately 296 employees who have had contact with inmates on the zero-tolerance policy for sexual abuse and sexual harassment. Topics covered include how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures; the right of inmates to be free from sexual abuse and sexual harassment; the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment; the dynamics of sexual abuse and sexual harassment in confinement; the common reactions of sexual abuse and sexual harassment victims; how to detect and respond to signs of threatened and actual sexual abuse; how to avoid inappropriate relationships with inmates; how to communicate effectively and professionally with inmates,

including lesbian, gay, bisexual, transgender, intersex, or gender-nonconforming inmates; and how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities. The Marion County Jail documents that employees that have contact with inmates understand the training they have received through employee signature or electronic verification.

Standard 115.32 Volunteer and contractor training

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

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

The Marion County Jail trained approximately 440 volunteers and contract employees who may have contact with inmates on the Agency's zero-tolerance policy for sexual abuse and sexual harassment and their responsibilities for the prevention and detection thereof and response policies and procedures. During the audit, training documentation on contractors and volunteers were confirmed and lesson plans and sign in sheets were reviewed.

Standard 115.33 Inmate education

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

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

The Inmate Rules and Regulations Handbooks are provided in English and Spanish and contain PREA information which detail the Jail's zero tolerance policy. Upon arrival into Marion county jail, there are a least three opportunities for staff to inundate the new arrival of the PREA zero tolerance policy. All new arrivals are required to sign acknowledging that they have been asked and provided information on PREA. The new arrival will then again be asked and informed of the policy by the medical intake personnel to ensure that they understand. There is a video that is provided in the Intake/Booking area to again reiterate the zero-tolerance policy at Marion County

Jail. It is posted and visible throughout the facility as well as in the housing areas. Medical will again make contact with 14 days and 30 days to ensure that the message was received. In the past 12 months, 11,216 inmates received information on the PREA policy at Marion County Jail during the intake process.

Standard 115.34 Specialized training: Investigations

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

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

The Marion County Sheriff's Office has investigators specially trained in sexual abuse investigations in confinement settings and maintains documentation showing the investigators have completed the required specialized training. There are presently twelve investigators trained to investigate allegations of sexual abuse. There is one jail investigator specifically assigned to the facility.

Standard 115.35 Specialized training: Medical and mental health care

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

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

Medical staff received specialized training regarding sexual abuse and sexual harassment. Based on staff interviews, staff is to report any knowledge, suspicions of, or information regarding an incident of abuse or harassment to a designated supervisor or official immediately upon learning of it. Medical staff also conducts 14-day reeducation for those identified at possible risk.

Standard 115.41 Screening for risk of victimization and abusiveness

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

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

Based on Marion County Jail policy 6603.65, interviews with random inmates and staff, the screening and medical staffs have demonstrated that upon entry to the facility, all inmates are screened for risk of victimization within 72 hours of entering the facility. All inmates are informed verbally and in writing and will acknowledge by signature their understanding of stated policy. All inmates are reassessed as necessary within 30 days of arrival and screening is tailored to inmates of both genders.

Standard 115.42 Use of screening information

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

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

Interviews conducted with the Intake and Classification staff revealed how screening information was used in determining work, housing, and education assignments with victimization considered. Transgender/Intersex inmates receive a face to face interview within fourteen days of their arrival to ensure placement is suitable in respect to their safety. PREA Coordinator is notified daily and immediately if there is an incident. He then contacts the individuals at risk to ensure their safety and address any concerns. At the time of this audit, 2 transgender inmates were identified and interviewed. Both exhibited no safety concerns. Both were satisfied and expressed confidence in the staff at Marion County Jail.

Standard 115.43 Protective custody

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

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

It is the policy of the Marion County Jail to not place inmates at risk for sexual assault in an involuntary segregation status unless an assessment of all available alternatives has been made and no viable means of protection exist. A report must be generated that clearly states the basis for this determination and the decision is reviewed on an on-going basis by the Classification staff and PREA Coordinator. At time of this audit, no victims at risk were involuntary segregated.

Standard 115.51 Inmate reporting

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

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

Marion County has numerous ways for inmates to report sexual abuse or harassment (including privately and anonymously) to Agency officials. Posters and other documents on display throughout the facility support the finding on this standard.

Standard 115.52 Exhaustion of administrative remedies

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

- Does Not Meet Standard (requires corrective action)

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

This standard is Not Applicable to the Marion County Jail.

Standard 115.53 Inmate access to outside confidential support services

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

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

Interview of random inmates, staff members, and public postings throughout the facility confirmed the Marion County Jail has multiple ways for inmates to report an allegation of sexual assault or harassment. There is a signed Memorandum of Understanding between the Ocala Rape Crisis Center and the Marion County Sheriff’s Office to provide services and counseling to inmates.

Standard 115.54 Third-party reporting

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

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

The Marion County Jail has multiple ways for a third party to report an allegation of sexual assault or harassment. There is a signed Memorandum of Understanding between the Ocala Rape Crisis Center and the Marion County Sheriff's Office to provide services and counseling to inmates. The Rape Crisis Center will also refer complaints to the PREA Compliance Manager. During random interviews with inmates, it was clear that they are aware of the services that are provided by the Marion County Jail, and how to make contact through a third party.

Standard 115.61 Staff and agency reporting duties

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

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

Staff and inmates interviewed confirmed their awareness. Staff must immediately report allegations of abuse, harassment, retaliation, or neglect relevant to PREA to include reference of incidents that may have occurred outside of Marion County Jail. Compliance with all aspects of the standard was verified utilizing interviews and policy review. (Policy 6603)

Standard 115.62 Agency protection duties

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

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

Each staff member interviewed indicated that upon detection of a substantial risk of imminent sexual abuse, immediate action is taken to protect the inmate by removing them from potential danger, notifying a supervisor and investigator, and preserving any evidence in the area. In the previous 12-month period, there were a total of 9 inmates determined to be at risk. The PREA Coordinator is made aware daily and conducts proper interviews with everyone to determine a course of action, such as housing location. Marion County Jails has developed a procedure

that places those individuals that may be at risk on a day bed flagging system, allows those inmates to be safely monitored throughout the facility and security is maintained.

Standard 115.63 Reporting to other confinement facilities

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

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

Per Policy 6603, the Marion County Jail will provide notification of an allegation within 72 hours of its reception. Marion County Jail is also required to fully investigate allegations received from other facilities/agencies. There were no allegations received by Marion County Jail in the previous 12 months.

Standard 115.64 Staff first responder duties

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

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

The staff first responder duties at the Marion County Jail are addressed in policy and state that upon learning of an allegation of sexual abuse, the first security staff member to respond shall separate the alleged victim from the abuser and protect any crime scene until appropriate steps can be taken to collect any evidence. In reviewing documentation from the past 12-month period, there were 7 allegations of sexual abuse, 1 that required staff to remove alleged victim from abuser. Policy was followed correctly each time.

Standard 115.65 Coordinated response

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

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

Based on the Marion County Jail’s written institutional plan, there is a coordinated response to an incident of sexual abuse among staff first responders, medical and mental health practitioners, investigators, and MCSO leadership. The plan provides specific directions from first responders, the compliance coordinator, and leadership.

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

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

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

The Marion County Sheriff’s Office has not entered, nor renewed any collective bargaining agreement or other agreement that limits the Marion County Jail’s ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.

Standard 115.67 Agency protection against retaliation

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

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

Inmates who report sexual abuse or harassment are monitored for at least 90 days following such report. Inmates in segregated housing are reviewed twice weekly. In addition, the PREA Coordinator and Jail Investigator review incident reports daily and are trained to immediately investigate and remedy any suspected retaliation. There have been no reports of retaliation in the facility for the previous 12-month period.

Standard 115.68 Post-allegation protective custody

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

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

Based on a review of documents, policy, and interviews with random staff members, those assigned to segregated housing are monitored and, if necessary, housing location modifications are made to assure any housing assignment will maintain the safety of the inmate. Marion County Jail provides a system that flags at risk inmates throughout the facility to ensure safety is provided and if protective custody is necessary, it is used. At time of audit 0 inmates that were considered at risk were placed in protective custody.

Standard 115.71 Criminal and administrative agency investigations

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

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

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

There were no allegations of conduct that appeared to be criminal that were referred for prosecution during the previous 12-month period.

Standard 115.72 Evidentiary standard for administrative investigations

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

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

The Marion County Jail imposes a standard of a preponderance of evidence or a lower standard of proof when determining whether allegations of sexual abuse or sexual harassment are substantiated as evidenced by my interviews with the on-duty investigator.

Standard 115.73 Reporting to inmates

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

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

The Marion County Sheriff’s Office requires notification of the findings of an allegation, verbally or in writing, following an investigation per Policy 6033. A document review indicates 6 out of 7 notifications of findings were made pursuant to this standard with 1 outcome pending.

Standard 115.76 Disciplinary sanctions for staff

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

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

In the past 12 months, there were no staff who have violated departmental sexual abuse or sexual harassment policies. Termination is the presumptive disciplinary sanction for staff who engage in sexual abuse per policy.

Standard 115.77 Corrective action for contractors and volunteers

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

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

The Marion County Sheriff’s Office requires that any contractor or volunteer who engages in sexual abuse be reported for law enforcement investigation and to relevant licensing bodies. Both volunteers and contractors understand the policy and ramifications for engaging in sexual abuse or sexual harassment of an inmate or staff member. Policy 6033.95

Standard 115.78 Disciplinary sanctions for inmates

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

- Does Not Meet Standard (requires corrective action)

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

Marion County Jail prohibits sexual activity between inmates. Sexual activity between inmates will result in a disciplinary report being generated and sanctions imposed (Policy 6603.96). During the 12-month period preceding this audit, there were 0 Administrative/Criminal findings of guilt at the facility.

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

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

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

Based on PREA screening form, classification review records, medical log, and interviews with Intake staff, inmates are scheduled for an appointment with a medical and/or mental health provider within fourteen days of reporting a prior sexual assault per policy 6603.96 and Medical Policy OCC 43.

Standard 115.82 Access to emergency medical and mental health services

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

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

Compliance based on interviews with medical staff and a review of policy which states that inmate victims of sexual abuse receive timely and unimpeded access to emergency medical treatment and crisis intervention services. Adults are transported to the hospital or another off-site medical facility while juvenile victims will be treated off site by a Sexual Assault Forensic Examiner (S.A.F.E.) or a Sexual Assault Nurse Examiner (S.A.N.E.) with follow up care provided to both. A Victim Advocate will also be provided to the victim. Policy 6603.96 and Medical Policy OCC 43.

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

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

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

Per Policy 6603.96 and Medical Policy OCC 43, the Marion County Jail provides victims of sexual abuse with medical and mental health services consistent with the community level of care.

Standard 115.86 Sexual abuse incident reviews

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

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

After every sexual abuse investigation, the Marion County Jail conducts a sexual abuse incident review unless the allegation has been determined to be unfounded. The incident review is conducted within 30 days of the conclusion of the investigation by the PREA Review Team with input from supervisors and investigators. Policy change or revision are considered as a result of each incident as well as the cause or motivation behind each incident, physical

layout contributions, and adequacy of staffing. A report is generated and disseminated to the Marion County Jail Bureau Chief and the PREA Compliance manager with the Review Team's recommendations. The Marion County Jail will implement the recommendations or document the reason for not doing so.

Standard 115.87 Data collection

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

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

The agency collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions. The standardized instrument includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the Department of Justice.

Standard 115.88 Data review for corrective action

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

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

The Marion County Jail reviews data collected and aggregated pursuant to §115.87 to assess and improve the effectiveness of its sexual abuse prevention, detection, response policies, and training, including: identifying problem areas; taking corrective action on an ongoing basis; and preparing an annual report of its findings from its data review and any corrective actions for each facility, as well as the agency. A review of policy 6603 as well as the Marion County Sheriff's Office website confirmed compliance with the standard.

Standard 115.89 Data storage, publication, and destruction

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

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

The Marion County Jail ensures that incident-based and aggregate data are securely retained. Marion County Jail policy requires that aggregated sexual abuse data from facilities under its direct control and private facilities with which it contracts be made readily available to the public at least annually through its website. Prior to posting sexual abuse data on the public website of Marion County all personal information will be redacted. The Marion County Jail maintains sexual abuse data collected pursuant to §115.87 for at least 10 years after the date of initial collection, unless federal, state, or local law requires otherwise.

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.

Juanita Thornton

12/14/16

Auditor Signature

Date