**PREA AUDIT REPORT**  ☐ Interim  ☐ Final

**COMMUNITY CONFINEMENT FACILITIES**

Date of report: 8/31/2016

<table>
<thead>
<tr>
<th>Auditor Information</th>
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<tbody>
<tr>
<td>Auditor name: Sonya Love</td>
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<td>Address: Covington, Georgia 30014</td>
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<td><a href="mailto:Sonya.love@waldenu.edu">Sonya.love@waldenu.edu</a></td>
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<td>Telephone number: ____________</td>
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Date of facility visit: August 4 – 5, 2016

<table>
<thead>
<tr>
<th>Facility Information</th>
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<tbody>
<tr>
<td>Facility name: Cobb County Adult Detention Center</td>
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<tr>
<td>Facility physical address: 1825 County Services Pkwy, Marietta GA 30008</td>
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<tr>
<td>Facility mailing address: (if different from above) Same</td>
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<tr>
<td>Facility telephone number: 770-499-4200</td>
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The facility is:  ☐ Federal  ☐ State  ☐ County  ☐ Military  ☐ Municipal  ☐ Private for profit  ☐ Private not for profit

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<thead>
<tr>
<th>Facility type:</th>
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<tbody>
<tr>
<td>☐ Community treatment center</td>
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<tr>
<td>☐ Halfway House</td>
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<tr>
<td>☐ Alcohol or drug rehabilitation center</td>
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<tr>
<td>☐ Community-based confinement facility</td>
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<td>☐ Mental health facility</td>
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<td>☐ Other</td>
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Name of facility's Chief Executive Officer: Jail Commander Janet Prince

Number of staff assigned to the facility in the last 12 months: 479

Designed facility capacity: 3543

Current population of facility: 1886

Facility security levels/offender custody levels: Minimum; Medium Maximum Security Level Inmates

Age range of the population: 17-82

Name of PREA Compliance Manager: N/A  Title: N/A

Email address: N/A  Telephone number: N/A

<table>
<thead>
<tr>
<th>Agency Information</th>
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<tbody>
<tr>
<td>Name of agency: Cobb County Sheriff’s Office</td>
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<tr>
<td>Governing authority or parent agency: (if applicable) N/A</td>
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</tr>
<tr>
<td>Physical address: 185 Roswell Street Marietta, GA 30061</td>
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<tr>
<td>Mailing address: (if different from above) 1825 County Services Pkwy, Marietta GA 30008</td>
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<td>Telephone number: 770-499-4200</td>
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<tr>
<th>Agency Chief Executive Officer</th>
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<tr>
<td>Name: Neil Warren</td>
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<td>Email address: <a href="mailto:Neil.Warren@CobbCounty.org">Neil.Warren@CobbCounty.org</a></td>
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<tr>
<td>Title: Sheriff</td>
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<td>Telephone number: 770-499-4600</td>
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<th>Agency-Wide PREA Coordinator</th>
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<tr>
<td>Name: Janet Prince</td>
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<td>Email address: <a href="mailto:Janet.Prince@CobbCounty.org">Janet.Prince@CobbCounty.org</a></td>
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<tr>
<td>Title: Jail Commander</td>
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<td>Telephone number: 770-499-4200</td>
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NARRATIVE

**Mission Statement:** The Cobb County Sheriff’s Office maintains a centuries-old commitment to provide professional law enforcement service to all citizens of Cobb County through a trained, motivated and focused workforce of men and women dedicated to public service.

The Cobb County Adult Detention Center location is 1825 County Services Parkway, Marietta Georgia 30008. Coordinates are 33°54’33.0” N x 84°34’57.1” W. The jail has four (4) distinct buildings that houses individuals temporarily (arrestees) and permanently (offenders) upon arrest; and includes a Visitor Center that serves the public. Facilities house minimum, medium, and maximum security level offenders. Each building is listed below and reflects the year in which it was constructed and completed for occupancy:

**DESCRIPTION OF FACILITY CHARACTERISTICS**

Initial construction of all inmate housing units began in 1984 and completed in year 2010. Inmates are housed in maximum, medium and minimum security designed cellblocks.

The Cobb Adult Detention Center provides various offender programs and services to include:

- Medical and Mental Health Care, Treatment and Counseling,
- Commissary; Library Services; Professional Barber Services,
- Work Release Program; Offender Work Release Program,
- Alcoholics Anonymous; Drug Addiction and Awareness Programs; College Collaborative Program,
- Federal Immigration Program.

Offenders assigned to the Work Release Program maintain approved employment in the community or participate in specific work details that are directly supervised by County employees. Offenders are also housed and assigned internal work details within the facility that are directly supervised by facility staff.

Direct and indirect supervision of offender housing (living) areas is a fundamental requirement conducted by both sworn and civilian staff that provides continuous monitoring of offenders via assignment in critical and non-critical posts. Adequate and sufficient staffing ensure the performance of duties meets established primary and secondary work objectives and safety protocols.

In compliance with national standards, sufficient staffing includes a designated supervisor are provided at all times to perform functions related to security, custody, and control of offenders.

Support Services staff serves as the framework for which essential duties and activities performed by shift personnel are developed and tested for implementation.

Operational areas include, but are not limited to the following:

- Food and Laundry Services; Accounting, Purchasing, and Commissary,
- Transport Services; Chaplaincy Programs,
- Sentencing and Classification Units; Law Library Services; Visitor Services
- Warehouse and Maintenance Operations; Mailroom Operations,
- Records and Identification,
- Facility (Contractor) Access; Safety and Security Protocols; Key Control Operations,
- Environmental Standards.
The audit team entered Cobb County Sheriff’s Office on August 4, 2016, at 9:00 am. The auditors met with Jail Commander, Assistant Jail Commander, PREA Coordinator, and the Facility Security Lieutenant to discuss the audit process. The audit team consisted of two (2) auditors. The lead auditor explained the systematic team approach and the philosophy of Diversified Correctional Services and described each team member’s area of responsibility.

The Lead Auditor conducted offender and random staff interviews in designated office space. The second team member was assigned the responsibility for conducting the facility tour and to conduct random staff interviews and specialized staff interviews in another location of the correctional complex.

During the pre-audit briefing, the Facility Security Lieutenant provided information related to any requests by staff and offenders to speak to the audit team. The lead auditor advised Cobb County Sheriff’s Office management the Diversified Correctional Services received two (2) letters from offenders and these offenders would be added to the list of offenders scheduled for interviews.

Notices of the PREA audit were forwarded to the jail on June 16, 2016, six weeks before the audit and posted throughout the facility on the same day.

The Pre-Audit Questionnaire, Cobb County Sheriff’s Office Policies (CCSO) and another supporting documentation were uploaded and accessible to the auditor for review before the audit. Numerous offenders were interviewed for the initial inmate random sample. The selection process included offenders from each inmate housing unit.

Offenders randomly selected and interviewed verified they received the required PREA training and information in the form of a posted offender handbook. The auditor confirmed the jail handbook was affixed to the walls in each living unit and contained information on detecting, responding and reporting abuse. The offenders confirmed viewing a PREA video prohibiting sexual abuse and harassment that also explained to offenders how to report sexual abuse and how to access outside advocacy support services.

Offenders from each living unit voiced concerns that the PREA video played, pre-empts their television viewing, and they have no control to skip the video. The offenders were very aware of the Cobb County Sheriff’s Office, Zero Tolerance Policy and were able to articulate multiple ways to report sexual abuse and sexual harassment. The offender responses to the Random Inmate Questionnaire also confirmed that offenders are screened during the intake process for vulnerability to victimization and sexual aggressiveness.

Twenty (20) staff, represented staff randomly selected from both am and pm brackets were interviewed. Also, nineteen (19) specialized staff participated in the interview process for this audit. The Auditor interviewed two (2) Colonel’s both hold positions in upper management and the Facility Security Lieutenant to confirm that Cobb County’s Sheriff’s Office takes offender sexual safety seriously.

The same twenty (20) randomly selected staff described the mandatory PREA employee training and their responsibility to report and respond to reports of sexual abuse and harassment. They indicated that they received hand-outs and Cobb County’s Sheriff’s Office’s “Zero Tolerance Policy” and participated in mandatory annual training after that. All staff (security and non-security) were knowledgeable of PREA, and each staff indicated that they would report and document abuse immediately. Staff (security and non-security) stated they would report everything they were aware of regardless of how the information came to them.

Random and specialized staff described a reporting process consistent with Cobb County’s Sheriff’s Office policies. Random sampled custody staff as well as administrative staff confirmed that they understood the need to verbally report sexual abuse immediately. CCSO custody staff indicated that verbal incident reports were followed-up with a written report before the end of the shift or work day. Staff was knowledgeable of multiple ways to report sexual abuse and sexual harassment and was able to explain how they could report abuse and harassment privately.
Pre-Audit Briefing Cont’d:

A Diversified Correctional Services Auditor, the Facility Security Lieutenant, Agency Executive PREA Director and Assistant Superintendent of Operations toured the entire Cobb County facility. Custody supervisors responded to the auditor’s questions concerning facility operations and practices. During the tour, the auditor evaluated the PREA processes and systems at the facility. The following narrative of the relevant PREA services and functional areas summarizes the findings regarding the processes and systems.

**SUMMARY OF AUDIT FINDINGS:**

The number of standards exceeded: 1

Number of standards met: 42

Number of standards is not met: 0

Number of standards not applicable: 0
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)

The Cobb County Sheriff’s Office (CCSO) PREA Policy, requires a Zero Tolerance for all forms of sexual abuse and sexual harassment. The policy also describes the agency’s response to preventing, detecting, responding to and reporting all allegations of sexual abuse or sexual harassment. PREA definitions were provided in the reviewed documentation. Zero Tolerance is communicated to offenders during the intake process, through continuous video on the living units and posted PREA related information by Standard 115.33. CCSO policy requires the jail to include a provision in the policy describing how the agency maintains a zero tolerance for sexual abuse and sexual harassment. A review of CCSO PREA policies confirmed the inclusion of language regarding zero tolerance of sexual abuse or harassment in the jail. In the event, contracts are developed with an agency or organizations to house offenders for the jail the PREA language would be inclusive in the contract.

CCSO has demonstrated a commitment to PREA by designating an upper-level, agency-wide PREA Coordinator (e.g. interim Jail Commander), with sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA Standards in all facilities. The position of PREA Coordinator is documented on the Cobb County Sheriff’s Office, Detention Staffing and Organizational Chart as a facility security position of Major. The position of PREA Coordinator reports directly to the Chief Deputy Sheriff.

CCSO list the Districts Attorney’s (DA) Office for Cobb County as an out contact to report Sexual Abuse. The Auditor telephone the number list for the DA’s Office and left a message on 8/9/2016. On 8/10/16 the Auditor receives a call-back from the DA’s office. The DA’s Office indicated that in the past twelve (12) months the office received three (3) reports of abuse via the DA’s Office contact number, and they were turned over to the CCSO for investigation.

Standard 115.12 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)

The Cobb County Sheriff’s Office (CCSO) Policy requires when contracts is developed with other agencies and organizations to house offenders for the jail a provision must be included to ensure that the agency/organization maintains zero tolerance for sexual abuse and sexual harassment and has a mechanism in place to address allegations of sexual abuse and sexual harassment.

A memorandum from the PREA Coordinator indicated that if Cobb County Sheriff Office entered into a contractual agreement with a private agency, government agency, or other entity the jail would include verbiage in the contract that required the entities to adopt and comply with all PREA standards. Moreover, the memorandum stated that all of Cobb County Sheriff’s Office agency contracts for the confinement of offenders shall contain requirements that the contractor adopts and comply with all of the DOJ PREA Standards.

Also, an interview with the Agency PREA Coordinator confirmed that PREA verbiage and requirements would be included in any contracts for offender confinement if Cobb County Sherriff’s Office contracted to house for offenders. The auditor reviewed a memorandum regarding contracting for the confinement of offenders said that contracts any new contracts would require an “on-site” agency contract monitoring for compliance with the Prison Rape Elimination Act (PREA).
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)

During this audit period Cobb County Sheriff’s Office, Offender Management System, an automated offender tracker generated a report that included the average daily population and the average length of stay report.

The auditor reviewed Cobb County Sheriff’s Office (CCSO) Supervision and Monitoring Policy in which the policy describes CCSO policy for supervision and monitoring of offenders (e.g. youthful, transgender, bi-sexual, and gay) from imminent sexual abuse. To provide adequate staffing based on its designed capacity, CCSO developed a Detention Facility Staffing Plan and Directive Staffing Plan. The jail custody staffing is based on the American Correctional Association (ACA) Standards.

The policy requires continuous monitoring of offenders. CCSO policy states “critical post is present to ensure staff safety, perform required security rounds observe and coordinate in-house activities, track inmate movement throughout CCSO, facilitate and conduct the delivery of inmate services.” The term critical post is defined as a post that is required to monitor offenders 24 hours per day and seven days per week.

The staff interviews confirmed CCSO practice of maintaining adequate staffing levels throughout the jail complex. Policy, Surveillance and Electronic Monitoring Systems describes custody and support staff placement in the jail is designed to detect, prevent, and monitor the safety of offenders and staff throughout the jail. During the audit, video cameras were notated throughout the jail (e.g. living units). The auditor also reviewed cameras from control rooms designed to monitor living units. Video monitoring is another tool used by CCSO to keep offenders free from sexual abuse.

CCSO also employs an electronic monitoring system to track officer visual rounds of offender behaviors and movement inside the living units. The auditor reviewed seven (7) pages of Watch Tour rounds that documented the date a specific round was made, who made the round, the time of the round and the location of the round at CCSO.

Once per year CCSO, in collaboration with the Jail Commander, Custody Management, and the PREA Coordinator, reviews the staffing plan to see whether adjustments are needed. A memo dated, July 20, 2015, indicated that the Executive PREA Director had reviewed the 2015 Annual Staffing Plan Review.

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)

Cobb County Sheriff’s Office youthful offenders are housed in a single living unit specifically designated for youthful offenders. The auditor confirmed their housing placement during the facility audit. CCSO policy, Managing Juvenile Offenders indicates juvenile offenders defined as any offender under the age of seventeen (17), shall be separated from the adult offender population. Per CCSO policy, Juvenile Offenders are restricted by sight and sound of adult offenders. The policy also stipulates that movement of youthful offender require constant supervision and prohibits contact with adult offenders. This same policy also prohibits placement of a youthful offender in involuntary segregation housing solely because of their age unless in exigent circumstances.
Standard 115.15 Limit 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)

Cobb County Sheriff’s Office policy, Housing, and Program Assignments outlines the agency’s position as it pertains to cross-gender viewing and searches. Custody staff is prohibited from examining a transgender or intersex offender just to determine the offender’s genital status. The policy requires custody staff to take into account the offenders perspective of their safety. According to Pre-Audit Questionnaire (PAQ), during the audit period, there were no cross-gender strip or cross-gender visual body cavity searches. The auditor found no evidence of cross-gender strip or cross-gender visual body cavity searches.

The policy states, routine strip searches shall be conducted by same gender staff as the offender being searched. CCSO policy, Supervision, and Monitoring only allows cross-gender strip and visual cavity searches in ‘exigent circumstances.” The same policy required documentation in an incident report for all cross-gender strip and visual cavity searches. The auditor found no incident reports of the cross-gender strip and visual cavity searches in a 90-day sample of reports.

Standard 115.16 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)

Cobb County Sheriff’s Office policy Supervision and Monitoring requires that the CCSO establish procedures to provide physically challenged offender’s equal opportunity to participate in and benefit from all aspects of facility efforts to prevent, detect, and respond to sexual abuse and sexual harassment. The policy indicates the term disability as having a broad meaning but not limited to offenders who are deaf, blind, intellectually disabled. CCSO provided a copy of several service contracts with PREA related language for the providers such as interpreters (e.g. Language Line Invoices) and other professional service providers employed to enhance effective communication with offenders with disabilities.

Offender training and education are also provided in a format for offenders who are Limited English Proficient and or suffer from other types of disabilities (including hearing or visual impairment, psychiatric or learning disabilities) to ensure effective communication of the jail’s PREA policy and procedures for reporting sexual abuse and harassment. CCSO’s policy prohibits the use of interpreters or readers unless there would be a delay in obtaining an effective interpreter that could compromise the offender’s safety, the performance of first responders or the investigation of the offender’s allegations.

The Auditor observed PREA related information regarding reporting and advocacy services in Spanish and English. Offender brochures were also provided in English and Spanish. By policy, CCSO requires documentation in the form of an incident report the use of offender interpreters. In the last twelve (12) months, zero (0) offenders used as interpreters. CCSO employs service vendor Language Line Services, Inc. A review of sample interpretive invoices from the review period (December 2015) indicates offenders used 272 minutes of interpretive service for Spanish. The use of the interpretive services took place over the course of the review audit review period.
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)

Cobb County Sheriff’s Office policy, Facility Staffing, Hiring and Promotions states that the jail cannot hire or promote or enlist the services of a provider that may have contact with offenders outside of work-related duties. The policy prohibits staff and service providers from engaging in sexual abuse of any offender in custody. The policy also includes language that prohibits the hire or promotion of staff or service provider that have been convicted of engaging in or attempting to engage in sexual activity in the community or while an offender was in the custody of CCSO.

CCSO’s policy also prohibits staff, contractors, and volunteers from engaging in sexual activity with offenders. Staff, contractors, or volunteers that have been civilly or administratively adjudicated to have engaged in the sexual abuse activities are prohibited from hiring, promote or enlist services. The jail provided sample documentation for review that applicants are required to complete as well as the PREA Employment Questionnaire as a part of the hiring packet.

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)

Cobb County Sheriff’s Office (CCSO) policy, Upgrades of Facilities Technology requires that the jail, when making a substantial expansion or modification to an existing facility, these modifications or expansions include installed or updated video monitoring systems, electronic surveillance system, or other monitoring technology to be PREA compliant. CCSO provided documentation of expansions and modification within the last 12 months.

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)

The Cobb County Sheriff’s Office policy, Investigations states that all evidence shall be collected by crime scene technicians or trained investigators and processed using an established uniformed evidence protocol that maximizes the potential for obtaining usable evidence for future proceeding in accordance is responsible for conducting administrative sexual abuse investigations. CCSO provides access to forensic examination free of charge. The exams are conducted at the community hospital. The audit confirmed that the hospital has full-time SANE nurses on contract. The YWCA of Northwest Georgia has a contact to provide victim advocacy services to offenders of sexual abuse detained at the jail. The auditor confirmed the contract for services. The auditor reviewed the Memorandum of Understanding (MOU) agreements. A review of the contract confirmed specific duties for the contractor: 1) Employ or contract with a victim advocate meeting training and qualifications necessary to serve incarcerated victims of sexual violence by providing crisis intervention and case management services.
Standard 115.21 Evidence protocol and forensic medical examinations Cont’d:

☐ 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)

The individual will have knowledge of victim-centered trauma, informed service delivery, and experience working with victims who have experienced trauma. 2) Provide emotional support services to CCSO offenders by PREA Standard 115.53, regardless of the timing of the disclosure, either through facility referral or by direct request from the offender. 3) Provide follow-up services, crisis intervention contacts, resources and referrals to victims of sexual abuse in CCSO jail, as resources allow.

The PAQ indicated zero (0) forensic SANE or SAFE examine were performed. Any forensic examinations would have been performed by a qualified medical practitioner or SANE nurse. A review of investigative reports confirmed zero (0) forensic examinations occurred in the past twelve (12) months. Also, interviews with the SANE Coordinator, Sexual Assault Counselor, Criminal Investigator and Victim Advocate all confirm zero (0) forensic examinations took place in the past twelve (12) months. The PREA Coordinator confirmed that if a victim was taken to the hospital as a result of a sexual assault the examination they are provided care without financial cost to the offender. Follow-up treatment is also offered free of charge.

Investigation Policy is required to complete specialized training by PREA Standards. CCSO policy, Supervision and Monitoring provides offenders who are Limited English Proficient and or suffer from other types of disabilities (including hearing or visual impairment, psychiatric or learning disabilities) to ensure effective communication of the jail’s PREA policy and procedures for reporting sexual abuse and harassment.

CCSO has designated members of the Sheriff’s Office Criminal Investigative Section to conduct an investigation of reports of sexual abuse or an outside agency such as the Georgia Bureau of Investigations (GBI) with the legal authority to conduct criminal investigations. Reports of sexual harassment are investigated by the Sheriff’s Office of Inspectional Services. In determining if allegations of sexual abuse or harassment can be substantiated CCSO’s standard of measure is a preponderance of the evidence. The Sheriff’s Office Criminal Investigative Section is required by jail policy to follow the uniform evidence protocol to increase the potential for obtaining usable physical evidence. CCSO’s PAQ indicated zero (0) forensic medical exam were conducted during this audit period.

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)

CCSO policy, Investigations requires the jail to ensure that allegations of sexual abuse or sexual harassment are referred for investigation. The jail is directed by a policy that investigations of sexual abuse (e.g. administrative or criminal investigation) is completed for all complaints of sexual abuse and sexual harassment by members of the Sheriff’s Office, Criminal Investigation Section or an outside agency with legal authority to conduct criminal investigations.

The Auditor interviewed investigative members of the Sheriff’s Office, Criminal Investigation Section. The Criminal Investigators confirmed they had been trained to conduct investigations by National Institute of Corrections (NIC) and local correctional training academies such as the Georgia Public Safety Academy. The auditor reviewed certificates of completion for investigators that participated in NIC Specialized Training for Investigating Sexual Abuse in Confinement Settings.
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)

CCSO policy, Law Enforcement Training and Staff, Contractor & Volunteer Training in which both require all deputies to attend the Basic Law Enforcement Training Course under the Georgia Peace Officer Standards and Training Act. CCSO policy, Annual Law Enforcement Training and Official Code of Georgia (O.C.G.A.) requires all individuals employed as peace officers to obtain annual training.

The PAQ indicated that eligible staff are currently employed and were trained or re-trained on the PREA requirements. Specifically, staff was able to describe the steps they would take in responding to an allegation, a suspicion, report or knowledge of sexual abuse.

Unanimously, CCSO staff stated that regardless of how they received the report, regardless of who made the report, they would take it seriously and immediately report sexual abuse and harassment to their supervisor. Staff indicates that while simultaneously reporting sexual abuse or harassment the staff would take steps to separate the alleged victim from the alleged perpetrator. The staff interviewed were knowledgeable of what measures should be taken to protect the alleged crime scene as well as actions they should take to prevent the victim and perpetrator from degrading or eliminating evidence. Staff interviewed consistently identified who is responsible for conducting investigations in the jail.

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)

CCSO policy, Training Acknowledgement Form, confirm training for volunteers and contractors. Staff, Contractor & Volunteer Training Policy outlines CCSO’s commitment to training all contractors and volunteers. Random interviews with staff (contract, volunteers) confirmed staff could describe multiple ways to report sexual abuse and harassment. The Training Coordinator provided evidence of the PREA training (initial and annual) curriculum. Moreover, interviews with staff indicated they were all aware of the Zero Tolerance Policy, employee and offender rights, signs and symptoms of sexual abuse, reporting, and responding.

CCSO’s volunteers and contractors have been trained and notified of the jail’s zero-tolerance for sexual abuse and harassment. The jail provided documentation confirming that volunteers and contractors understand the training they received by signing the Volunteer and Contractor Receipt of PREA form.

The PREA Coordinator provided a copy of the training curriculum called Contractor/Staff/Volunteer – Conduct and Protocols. The curriculum confirmed all staff, volunteer, and contractors participate in training on ethical considerations, CCSO expectations for the jail, prohibited items, sexual harassment and PREA.
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)

CCSO, Inmate Education Policy indicates that education on the jail’s zero tolerance regarding sexual abuse and harassment, offender rights and how to report abuse begins during the booking process. Each offender is given information in the form of a brochure on how to report abuse and harassment. The policy also explains that the jail will provide education for offenders with Limited English skills or any other disability. Offenders are required to receive the brochure created by the jail advising the offender of the potential dangers of sexual conduct and the jail’s Zero Tolerance for such behavior.

The brochure, entitled, End The Silence, Zero Tolerance for Sexual Abuse and Sexual Harassment: Prison Rape Elimination Act (PREA). The brochure includes information about reporting abuse (e.g. CCSO and Family Reporting), External Report (e.g. Cobb County District Attorney’s Office) and the Cobb County Rape Counseling Center.

Custody Staff is required to supplement this information by video broadcasting PREA information in all living units.

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)

CCSO policy, Investigations directs all investigators of sexual abuse or sexual harassment to complete specialized training for conducting sexual abuse investigations in confinement settings. Documentation confirmed investigators completed specialized training through the National Institute of Corrections (NIC) PREA: Investigating Sexual Abuse in Confinement Setting. Topics required in the specialized training for investigators includes Techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity Warnings, evidence collection in confinement settings, criteria and evidence required to substantiate a case for administrative actions and criteria and evidence to refer a case for prosecution.

New employees are advised of these requirements and are a condition of employment. Custody staff participates in weekly training during roll-call when necessary. Their training also includes a review of current policies regarding sexual abuse and harassment.

The Auditor interviewed members of the Sheriff’s Office, Criminal Investigation Section. The Criminal Investigators confirmed they had been trained to conduct investigations by National Institute of Corrections (NIC) and local correctional training academies such as the Georgia Public Safety Academy. Investigators related that they had completed the NIC Specialized Training for Investigating Sexual Abuse in Confinement Settings and described in detail the investigation process.

During interviews, investigators stated that all investigations would begin immediately upon receiving a credible report. Interviews with the Detention Jail Commander, PREA Coordinator, and randomly selected staff from CCSO indicated that staff would take all allegations, knowledge, and reports seriously regardless of the source and have then investigated by the jail’s investigators. The auditor reviewed certificates of completion for the investigators that participated in NIC Specialized Training for Investigating Sexual Abuse in Confinement Settings.
Standard 115.35 Specialized training: Medical and mental health care

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

CCSO policy, Medical and Mental Health Care mandates training of medical and mental health practitioners who work regularly with the offenders. Medical staff at the facility does not conduct forensic medical exams. The facility provided documentation showing that medical practitioners have completed the required training.

CCSO medical and mental health professionals related that they received specialized training through the National Institute of Corrections (NIC) and CCSO training staff (e.g. Staff, Contractor & Volunteer Training). Training covered topics such as how to detect and assess signs of sexual abuse and sexual harassment, how to preserve evidence, how to respond effectively and professionally to victims of sexual abuse and sexual harassment and how to report. The NIC training for nurses was, PREA: Medical Health (MH) care for Sexual Assault Victims in a Confinement Setting.

The Auditor confirmed certificates of certification for medical professionals. The NIC training for mental health staffers was, PREA: Behavioral Health Care for Sexual Assault Victims in a Confinement Setting. The Auditor confirmed the Mental Health staff completed the NIC course. Training classes included educational topics such as how to detect signs of sexual abuse, how to respond to victims of sexual abuse and how to report abuse and harassment. Forensic examinations are conducted at the community hospital by SANE nurses.

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)

CCSO uses a screening instrument to measure the risk of sexual abuse victimization or sexual abusiveness toward other offenders. CCSO policy, Risk Assessment for Sexual Victimization or Abusiveness outlines the jail’s position on the completion of risk assessments during intake or transfer processing. The policy requires intake screening within seventy-two (72) hours.

The objective screening instruments met each criteria requirement mandated by the Screening for Victimization and Abusiveness Standard 115.41. Risk reassessments were well documented by the agency’s Classification staff.

From the random inmate sample, the Auditor interviewed transgendered offenders who confirmed that CCSO custody staff respected their views on sexual safety and the jail’s procedures.

The offender responses to the Random Inmate Questionnaire also confirmed that offenders are screened during the intake process for vulnerability to victimization and sexual aggressiveness. Offenders were aware of Cobb County’s Sheriff’s Office rules against sexual abuse and harassment. This Auditor verified that Cobb County Sheriff’s Office prominently posted contact information in locked displays on every living unit.
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)

Specific CCSO policy and post orders of the jail outlines the agency’s expectations for staff to complete a PREA Risk and Assessment Screening on every offender during the intake process. Staff was interviewed whereas each staffer described their understanding of Standard 115.42 (d) requirement to reassess transgender and intersex offender placement and programming twice each year or as necessary to avoid potential issues with safety. During this audit, zero offenders met the criteria for reassessment based on Standard 115.42 (d) or safety concerns.

CCSO requires offenders at risk of sexual victimization be placed in segregation only as a last resort if less restrictive measures are inadequate to keep them and other offenders safe, and only until an alternative means of keeping all offenders safe can be arranged.

CCSO policy prohibits considering gay, bisexual, transgender or intersex identification or status as an indicator of the likelihood of being sexually abusive. Housing and program assignments for transgender or intersex residents are assessed on an individual basis.

The Auditor confirmed CCSO’s practice through the random inmate interviews and review of completed CCSO Classification Worksheets and the Inmate Security Level and Custodial Status Reports.

The Auditor reviewed the housing assignments and noted transgender offenders were disbursed in multiple locations throughout the jail. Information gained from offenders confirms an interview process take place with offenders during the intake process. The custody staff takes into account the views of the offender and other safety consideration such as prior victimizations, and future susceptibility to victimization. The offenders interviewed also confirmed participating in a PREA Risk and Assessment Screening during the intake process.

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)

CCSO policy, Housing and Programming Assignment describes the agency’s position on making housing and programming assignments to include protective custody. During this audit zero (0) of the offenders interviewed indicated that they had been placed in protective custody during their detention in the jail.

If the jail assigned an offender to involuntary segregated housing, the placement would be only as an alternative means of separating likely abusers can be arranged and the assignment will ordinarily not exceed a period of 30 days. If placement were to exceed 30 days, the facility affords the offender a review to determine whether there is a continuing need for separation from the general population. CCSO’s PREA Coordinator confirmed the process. A review of offender files during the audit period confirmed the process.
Standard 115.51 Resident reporting

☐ Exceeds Standard (substantially exceeds requirement of standard)

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

☐ Does Not Meet Standard (requires corrective action)

CCSO policy, Reporting Allegations of Sexual Abuse, mandates all staff to immediately report sexual abuse or sexual harassment. Random interviews with custody staff and specialized staff all confirmed their understanding of their policy to report abuse immediately. They also have an affirmative responsibility to encourage offenders who have been the victims of sexual abuse, non-consensual sexual acts, staff sexual misconduct or staff/offender sexual harassment to report the incidents.

The Auditor validated that CCSO has established procedures allowing for multiple internal ways for offenders to report privately to officials regarding sexual abuse and sexual harassment; retaliation by other offenders and/or staff for reporting sexual abuse and sexual harassment; and staff neglect or violation of responsibilities that may have contributed to an incident.

The jail provided the following ways for offenders to report sexual abuse, sexual harassment or retaliation and offenders were given brochures with pertinent information regarding reporting methods:

1. Verbally; to friend, a staff member or someone the offender trusts; utilizing the grievance process,
2. Calling toll free to the Sexual Assault Hotline; Calling the Cobb County Districts Attorney Office; Anonymously,
3. Third Parties and the Jail Commander.

Cobb County Sheriff’s Office policy, Arrest and Detention of Foreign Nationals, NPN and Federal Guidelines, requires offenders detained solely for civil immigration purposes to be provided information on how to contact appropriate Consular officials and officials from the Department of Homeland Security. Georgia State Law, Official Code of Georgia, 42-4-14 requires CCSO employees to make every effort to positively identify and determine the nationality of all persons in the custody of a jail or detention facility.

During the audit tour the Auditor noted information was posted on every living unit describing how foreign offenders can contact their Consular Office.

To confirm assess to outside reporting services the Auditor telephoned Cobb County District Attorney’s Office using the number provided in the brochure. The Auditor telephone the number list for the DA’s Office and left a message on 8/9/2016. On 8/10/16 the Auditor receives a call-back from the DA’s office confirming the process.

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)

CCSO policy, Inmate Grievances Policy and Appeals, established an administrative procedure for addressing offender grievances, including allegations of sexual abuse and harassment. Offenders are allowed to submit a grievance form regarding an allegation of sexual abuse at any time regardless of when the incident is alleged to have occurred. CCSO policy does not impose a time limit on when an offender may submit a grievance regarding an allegation of sexual abuse. Offenders can file a grievance without sending it to a staff member who is the subject of the complaint.
Standard 115.52 Exhaustion of administrative remedies Cont’d:

☐ 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)

CCSO affords offenders the opportunity to file an emergency grievance at any time. Offenders can file emergency grievances when they allege their condition of confinement is a risk to their safety or the safety of another offender. Reports of sexual abuse or harassment can be filed as an emergency grievance.

During the offender interviews, each were asked to describe the grievance process. One had a general understanding of the process because he believed it was useless information, “I don’t have those kinds of problems.” The other offenders described the grievance process in detail to include which copies of the grievance they are given and when. Each offender identified with a custody staff person they believed could discuss a problem without resorting to a formal grievance.

CCSO policy requires a certain response time to an emergency grievance. Final decisions to an emergency grievance are issued to offenders within a certain time period. CCSO can extend review time to respond to an emergency grievance when further investigation is warranted.

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)

CCSO entered into a Memorandum of Agreement (MOA) with the YWCA of Northwest Georgia as a component of the response to sexual abuse or a request for assistance from a victim of violence on July 14, 2014. The Auditor reviewed the content of the MOA. The MOA remains active. CCSO provides offenders with access to outside victim advocacy for emotional support services related to sexual abuse by posting relevant contact information to inform offenders, to include offenders being held for civil immigration matters, to report sexual abuse.

Moreover, offenders are provided multiple ways to report abuse or sexual harassment. During intake/classification, they are provided a brochure entitled “End The Silence, Zero Tolerance for Sexual Abuse and Harassment: Prison Rape Elimination Act (PREA).” This brochure states what should be reported, how they can report abuse, and provides tips for avoid sexual abuse.

Other information provided in the brochure includes:

• Contact number for the Rape Crisis Center hotline or the inmate phone system
• YWCA, Northwest Georgia, Rape Crisis Advocate
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)

CCSO policy, Prison Rape Elimination Act, provides directives from the Cobb County Sheriff’s Office. CCSO has a website for Third-Party reporting. Anyone who suspects or has knowledge sexual abuse that has occurred at the jail can report through the agency website, which gives clear reporting instructions. During intake/classification, offenders are provided a brochure entitled “End the Silence, Zero Tolerance for Sexual Abuse and Harassment: Prison Rape Elimination Act (PREA).” The brochure states what should be reported, how they can report abuse, and provides tips for avoid sexual abuse. Other information provided in the brochure includes:

- A points of contact number to ask more PREA questions
- Contact number for the PREA Coordinator
- Contact number for the Rape Crisis Center hotline or the inmate phone system
- Third party reporting via CCSO’s website
- Contact number for family, friends, legal counsel or anyone to report abuse to CCSO
- YWCA, Northwest Georgia, Rape Crisis Advocate

During random interviews of offenders they all confirmed an awareness of how to report and respond to sexual abuse and harassment. Six (6) of the fifty-four (54) offenders interviewed during the random inmate sample acknowledged being intoxicated during the intake process. The same six (6) offenders admitted poor recall of the intake process and no knowledge of the brochure provided to offenders during the intake process.

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)

CCSO policy, Reporting Allegations of Sexual Abuse and Sexual Harassment authorizes all staff to immediately report any knowledge, suspicion or information regarding an incident of sexual abuse or sexual harassment that occurs in jail, correctional facility, prison, court holding, or internal holding area. CCSO reports all allegations of sexual abuse or harassment to include third-party reporting, District’s Attorney’s Office, anonymous reports or reports to the PREA Coordinator.

Authorized staff includes sworn and non-sworn (e.g. medical, mental health, foodservice) CCSO staff are mandated reporters. The CCSO on sexual abuse also directs the Detention Watch Commander to report allegation of abuse or sexual harassment on external work details or that occur in transit to or from a work site. Court Services Commander shall report sexual abuse or sexual harassment in any court room or court holding area.

The Field Operations Watch Commander shall report sexual abuse or sexual harassment if the offender is in the custody of CCSO but custody has not been relinquished by another detaining agency. Interviews with random CCSO staff and specialized staff confirmed that 100% of CCSO staff understood their duty to report sexual abuse and sexual harassment immediately.
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)

CCSO policy, Supervision and Monitoring requires immediate action as soon as staff learns that an offender is subject to substantial risk of imminent sexual abuse and to protect the offender’s safety. Interviews with random CCSO staff (custody and non-custody) and specialized staff confirmed that 100% of CCSO staff understood their duty to immediately protect the safety of any offender the subject of substantial risk of imminent sexual abuse.

During the past 12 months, two (2) offenders reported being subject to a substantial risk of imminent sexual abuse or in which the facility has determined that an offender was subject to substantial risk of imminent sexual abuse.

CID # 15-0XXXXX1 and CID# 15-0XXXXX6 were both substantiated. CID# 15-0XXXXX6 the victim was uncooperative and refused to assist with prosecution. By the date of the audit both victims were no longer detained by CCSO. It should be noted that the accused in CID# 15-0XXXXX6 was randomly selected for interview. The offender indicated that she was charged and her court date was scheduled for the next day. The accused offender confirmed that immediately after the allegations against her were reported to CCSO she was separated from the victim and placed in another living unit. She confirmed that the incident was investigated which resulted in formal charges being filed against her.

Prior to the audit, Diversified Correctional Services received correspondence from two (2) offenders detained at the CCSO Jail. One (1) offender (Jane Doe #1) was released on 7/14/16. Jane Doe #1 reported abuse that took place at another detention facility. CCSO notified the appropriate jurisdiction of the allegations and the need to investigate the report. The second correspondence came from the accused (Jane Doe #2) in CID # 15-0XXXXX1, according to the offender. Jane Doe #2 wanted clarity on what constituted a PREA violation. She admitted to numerous viewing of the PREA video on her living unit. She also admitted to reading the PREA brochure and admitted to contacting an outside agency to discuss what constitutes a PREA violation.

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)

CCSO policy, Notification to Other Confinement Facilities and Inmates requires the Cobb County Jail upon receiving a report that an offender was sexually assaulted while confined at another facility, The Division Commander or his designee shall notify the head of the agency or the facility where the abuse was reported to have taken place.

The notification policy gives CCSO up to 72 hours to make contact with the facility the offender reported where the abuse took place. The Auditor confirmed CCSO notified six (6) separate facilities of reported sexual abuse.

There were six incidents of reported sexual abuse statements indicating that the abuse took place in other jurisdictions. The applicable jurisdictions were notified the same day the offender made the report, according to documents reviewed by the Auditor. Investigative documents indicate that on 4/28/16 an offender alleged sexual abuse took place on 7/14/14 in another jurisdiction but she reported the incident on 4/28/16 to CCSO custody staff. The incident was referred to the applicable jurisdiction for investigation immediately.
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)

CCSO had a policy in place that required the jail to have a first responder procedure. Policy, Agency Response to Allegations of Sexual Abuse and Sexual Harassment describes actions that should be taken upon learning of an allegation that an offender was sexually abused. The first security staff member to respond is required to:

1. Separate the alleged victim and abuser;
2. Preserve and protect crime scene;
3. CCSO will collect physical evidence from the crime scene;
4. Ensure that the alleged abuser does not take any actions that could destroy physical evidence.

CCSO staff is mandated to collect physical evidence if the abuse occurred within a time period that still allows for the collection of physical evidence and immediately notify a certified Deputy. The first responder should ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating until the certified Deputy is on the scene. Random staff interviews confirmed custody and non-custody staff could describe the agency’s policy when an offender makes a report of sexual abuse or harassment. A review of investigative documents confirmed that CCSO has a practice in place to investigate and when possible collect evidence when sexual abuse is reported at the facility.

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)

CCSO policy, has established a coordinated, efficient and supportive response to victims of sexual assault. Policy, Agency Response to Allegations of Sexual Abuse and Sexual Harassment and Protection from Retaliation both describe actions that should be taken upon learning of an allegation that an offender was sexually abused.

The first responder is required to:
1. Separate the alleged victim and abuser; Preserve and protect crime scene;
3. CCSO will collect physical evidence from the crime scene;
4. Ensure that the alleged abuser does not take any actions that could destroy physical evidence.

This comprehensive response plan describes the duties of the first responders, investigators duties, responsibility of the responding certified Deputy, sexual assault nurse examiners, victim advocates and local prosecutors.
Standard 115.65 Coordinated Response Cont’d:

☐ 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)

The goals are to:

1) Meet the needs of the victim by offering crisis intervention and advocacy support services
2) Arrange a comprehensive forensic examination for sexual abuse victims, without financial cost, where appropriate
3) Document and preserve forensic evidence for potential prosecution and
4) Conduct investigations of the crime from notification through prosecution when applicable. The responsibilities for each team member are detailed.

A review of investigative documents confirmed that CCSO has a practice in place to investigate and when possible collect evidence when sexual abuse is reported at the facility. Based on an interview with an accused sexual abuse perpetrator and her pending court date in Cobb County confirmed the response process as outlined by CCSO.

Standard 115.66 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)

CCSO staff is County or contract employees. They are not members of a union and can be removed from the jail, placed on administrative leave or sanctioned in accordance with CCSO personnel policies, procedures, and rules. This jail is not involved in collective bargaining.

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)

CCSO policy, Protection from Retaliation, requires the jail to protect all offenders and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other offenders or staff. This policy confirms that CCSO has a policy in place to protect offenders and staff from retaliation. In addition, CCSO has identified a Retaliation Monitor for the jail. The Auditor interviewed the Retaliation Monitor during the audit.
The monitor described the policy and the jail’s process for monitoring the protection and treatment of offenders and staff that report retaliation. The interview with the Retaliation Monitor confirmed that he understood his role and responsibility as it related to PREA and specifically his role as a monitor. Moreover, the Retaliation Monitor indicated that he would monitor a victim (e.g. offender or staff) for an initial ninety (90) days unless additional monitoring is necessary. The monitor also confirmed his role to make periodic rounds to check on the status of the offender. The Retaliation Monitor uses a PREA Monitoring Form to document his monitoring efforts. Prior to the audit, Diversified Correctional Services received zero allegations of retaliation. Random staff interviews did not reveal any instances of retaliation against staff. Further, during the offender interviews zero allegations of retaliations were disclosed to either Auditor.

CCSO employs multiple protective measures against retaliation including the following:

1. Housing changes or transfers for victims or abusers
2. Removal of alleged staff or offender abusers from contact with victims
3. Emotional support services for offender and staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.
4. Disciplinary Reports
5. Program or job assignment changes

CCSO policy, Housing and Program Assignments confirmed that the jail has a policy in place that requires the jail to protect all offender post-allegations of sexual abuse or harassment. The policy confirmed that offenders shall not be placed in segregations except as a last resort when no other housing accommodations are available. CCSO’s policy requires the approval of the lead supervisor or Watch Commander for offenders to be placed in involuntary segregation post-allegations of sexual abuse or harassment.

Placement of an offender, post-allegations of sexual abuse or harassment in segregation is limited by CCSO’s policy to thirty (30) days, except in exigent circumstances. Placement in segregated housing as a last resort requires the approval of the lead supervisor or Watch Commander. Post-allegations placement as a result of sexual abuse or harassment also requires staff to complete a sexual victimization/ abusiveness assessment in preparation for more suitable housing. To confirm the practice, the Auditor discussed CCSO’s policy with random classification staff, the PREA Coordinator, a custody supervisor of segregation were able to confirm the agency’s practice.
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)

CCSO policy, Investigations confirmed that the jail has a policy in place that requires staff to conduct prompt, detailed and objective investigations of sexual abuse and harassment. CCSO has designated the Sheriff’s Office of Criminal Investigative Section or an outside agency with legal authority to conduct criminal investigations. Reports of sexual harassment are investigated internally by the Sheriff’s Office Inspectional Services or another staff member as designated by the Sheriff.

The auditor reviewed certificates of completion for investigators that participated in National Institute of Corrections (NIC) Specialized Training for Investigating Sexual Abuse in Confinement Settings. A review of investigations during the audit review period, confirm the average response time was less than forty-eight hours (48). Interviews with investigative staff confirmed that each investigator could describe how to conduct a sexual assault investigation. Both investigators described in detail how to protect the victim, collect and preserve evidence and how to document (e.g. describe physical evidence), requesting assistance from an outside agency with legal authority to conduct a criminal investigation. The explanation of the process provided by investigators confirmed both investigators were knowledgeable of the jail’s practices and policies.

The Auditor confirmed CCSO notified separate facilities of reported sexual abuse.

Incidents were referred to the applicable jurisdiction for investigation immediately after being reported by the offender. A review of administrative findings on internal investigations alleged in the past twelve (12) months indicated evidence was gathered. Reported sexual abuse cases reported to have occurred in other jurisdictions, the Auditor confirmed that an initial report was taken by investigators.

Each investigative report reviewed by the Auditor included documents such as a written narrative of the Report of Incident, witness statements, a statement from the victim, the perpetrator and if applicable video footage, investigative summaries, and evidence the investigator reviewed to make an administrative/criminal determination in each case. In accordance with policy, the PREA Compliance Manager reported informing offenders in writing the disposition of the reported allegation of sexual abuse. The notification was documented in files examined during the audit period.

CCSO has a process in place to notifying offenders of the disposition of substantiated/unsubstantiated/unfounded reports of sexual abuse committed at the facility.

CCSO Memorandum, PREA Sexual Assault Service Sheet serves as the written notification to the offender the findings in their reported cases of sexual abuse. The notification document includes the case determination (e.g. substantiated, unsubstantiated, unfounded) and the date the findings was presented to the reported victim.

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)

CCSO policy, Investigations confirms that the jail’s standard of evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated is a preponderance of evidence or lower. The Auditor confirmed the jail’s practice by interviewing investigators who described CCSO’s standard for reviewing evidence. Both investigators confirmed that the standard of proof in administrative investigations is 51% which constitutes a preponderance of the evidence.
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)

CCSO policy, Notification to Confinement Facilities and Inmates confirms the jails policy of reporting to offenders. CCSO Memorandum, PREA Sexual Assault Service Sheet serves as the written notification to the offender the findings in their reported cases of sexual abuse. The notification document includes the case determination (e.g. substantiated, unsubstantiated, unfounded) and the date the findings was presented to the reported victim.

All notifications and attempts to notify offenders are required to be documented and maintained in the offender’s case file.

The PREA Coordinator provides evidence of said offender notifications and findings. Investigators confirmed that offenders are notified of the findings in their cases and copies of the notifications are maintained in the investigative file.

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)

CCSO policy, Discipline and Sanctions confirmed the jail’s policy regarding disciplinary sanctions up to and including termination for violating CCSO’s sexual abuse or sexual harassment policies. Termination is the presumptive disciplinary sanction for staff who engaged in sexual abuse. All terminations for violations of facility sexual abuse or sexual harassment policies, or resignations by staff that would have been terminated if not for their resignation, are reported to law enforcement agencies, and relevant licensing bodies unless the activity was clearly not criminal.

The Pre-Audit Questionnaire reported that there was no staff from the facility that has been terminated for violating agency sexual abuse or sexual harassment policies during the audit period. Interviews with designated agency contact and the PREA Coordinator confirmed the jail’s practice prohibiting sexual abuse and harassment in the workplace. No staff had been terminated from CCSO for violating the sexual abuse and harassment policies.

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)

CCSO policy, Discipline and Sanctions confirmed that CCSO requires that any contractor or volunteer who engages in sexual abuse to be prohibited from further contact with offenders, notification made to any licensing body if applicable, and the incident reported to law enforcement agencies. The PAQ indicated that there were no contractors or volunteers reported to law enforcement for engaging in sexual abuse of residents.

The PREA Manager confirmed there were zero cases of contractor or volunteers reported to law enforcement agencies or licensing bodies for sexual abuse. Further the PREA Coordinator stated that the jail would consider if a contractor or volunteer should be restricted from further contact with offenders detained in the jail.
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)

CCSO policy, Discipline and Sanctions states that offenders are subject to disciplinary sanctions only under a formal disciplinary process if the administrative finding confirms that an offender engaged in offender-on-offender sexual abuse or a criminal finding of guilty. Sanctions commensurate with the nature and circumstances of the abuse committed, the offender’s disciplinary history, and the sanctions imposed for comparable offenses by other offenders with similar histories.

The disciplinary process shall consider whether an offender’s mental disabilities or mental illness contributed to his or her behavior when determining the type of sanction to impose.

The jail prohibits a disciplinary action for a report of sexual made in good faith based upon a reasonable belief that the alleged conduct occurred, even if an investigation does not establish evidence sufficient to substantiate the allegation. The Auditor interviewed the PREA Compliance Manager and the jail’s PREA Coordinator and confirmed that there had been one (1) cases involving offender-on-offender sexual abuse requiring a disciplinary hearing. They also articulated a disciplinary process that was consistent with the jail’s policies.

Standard 115.81 Medical and mental health screening; 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)

CCSO policy, Medical and Mental Health Care confirmed the jail has a policy to address providing medical and mental health care to offenders who report being sexually abused in any prison, lockup or a jail if the offender has experienced prior victimization (e.g. institutional or community). The policy also indicates services (e.g. meeting with medical of mental health) to offenders that report abuse shall be provided at no cost to the victim. Further, the policy provides services (e.g. meeting with medical of mental health) to offenders that acknowledge during initial screening the offender will be offered (e.g. within 14 days of screening) a follow-up meeting with medical and mental health practitioners of the intake screening. A review of seventy-four (74) PREA risk screenings confirmed CCSO screens offenders for potential or historic predator behavior or prior victimizations.

Interviews with the intake staff confirmed they are aware of the agency’s policy of offering support services to offender’s with prior sexual victimization within fourteen (14) days of intake screening. Further, medical and mental health staff obtains informed consent from offenders before reporting information about prior sexual victimization that did not occur in an institutional setting.
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)

CCSO policy, Inmate Medical Fees confirmed a jail policy indicates that inmates shall not be denied medical care due to the inability to pay. CCSO policy, Agency Response to Allegations of Sexual Abuse and Sexual Harassment, prohibits the denial of medical care to an offender due to the inability to pay medical fees. State Statute, Official Code of Georgia Annotated (OCGA), 42-4-71, states that inmates may pay a reasonable fee for medical services as allowed and governed by the State Statute.

Victims of sexual abuse are not required to reimburse CCSO or the State of Georgia for any services associated with a victimization, regardless of the offender’s level of cooperation. CCSO Medical staff will provide immediate care and evaluate the victim for life-threatening injuries. CCSO’s policy also requires medical staff to aid in the preservation of evidence by instructing the offender not to take any actions that could destroy physical evidence. CCSO medical staff offer offenders a forensic exam by SANE at Kennestone Hospital no cost to the offender when evidentially or medically indicated. CCSO medical staff were able to describe what process they would use to determine if an offender was offered a forensic examination by SANE at Kennestone Hospital.

The Auditor spoke to investigators who confirmed CCSO’s policy and practices of providing access to emergency medical and mental health services. CCSO’s Pre-audit questionnaire (PAQ) indicated zero (0) forensic medical exams were conducted during this audit period. An interview with the lead nurse confirmed zero (0) forensic medical exam were conducted during this audit period.

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)

CCSO policy, Medical and Mental Health Care confirms that medical and mental health services will be offered to all offenders that report being victimized either in the community or in an institution. Services to sexual abuse victims shall be provided at no cost to the victim regardless of the inmate cooperation (PREA 115.82(d) & 115.83(g)). CCSO policy directs health care practitioners to employ their professional judgment in making a determination as to the nature and scope of medical treatment and crises intervention provided to victims of sexual abuse.

The policy calls for the jail to offer forensic examinations by a Sexual Assault Nurse Examiners (SANE) at Kennestone Hospital, when evidentially or medically appropriate (PREA 115.21(c)). In addition, victims of sexual abuse while at the facility are offered tests for sexually transmitted infections as medically appropriate.

Interviews with the medical and mental health staff indicated that they would be responsible for on-going services following a sexual assault. During the interview the medical staff person described steps he would take if an offender was sexually abuse and vaginally penetrated. His answers were consistent with requirements outlined in Standard 115.83 (f), (g). The Auditor also interviewed a member of the mental health (MH) team. The MH team member was able to describe in detail step required by CCSO policy such as evaluation and treatment, referrals if the offender is transferred to another jurisdiction or to prison.
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)

CCSO policy, PREA Data Collection and Review requires the jail to establish a Sexual Abuse Incident Review Team (SART) for the purpose of reviewing all investigations, upon their conclusion. Reviews by policy are required within thirty (30) days of the closure of an investigation. The Auditor reviewed investigative reports and verified upper management participated as SART reviewers.

The Auditor reviewed documentation of a SART meeting and present at the meeting was the Jail Commander, Assistant Jail Commander, PREA Coordinator, (1) supervisor of the Criminal Investigation Division (CID), CID Commander, Mental Health Services Administrator and the Medical Administrator. SART documentation of the review process included consideration of factors such as the need for a policy or practice changes, the motivation of the victimization was taken into account and staffing levels.

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)

CCSO policy, PREA Data Collection and Review requires the jail (PREA Coordinator) to collect accurate, uniform data for every allegation of sexual abuse at the jail under its direct control using a standardized instrument and set of definitions. The standardized instrument is the CCSO Incident Report.

The jail also collects data sufficient to answers questions from the updated version of DOJ Form SSV-Survey of Sexual Violence Incident Report. Upon request CCSO will provide all data from the previous calendar year to the Department of Justice (DOJ) no later than June 30 of each year on the U.S. Justice Department Survey of Sexual Violence Form SSV-5. The Auditor interviewed the PREA Coordinator and confirmed her understanding of the responsibility Standard 115.87 subsections (d), (e) and (f).

The PREA Coordinator described in detail responsibilities like maintaining, reviewing and collecting data. The PREA Coordinator is a member of the SART team and responsible for documenting findings of each investigative review in accordance with PREA standards.
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)

CCSO policy, Facility Staffing Plan and Directives confirmed the jail’s policy of reviewing data pursuant to 115.87 to improve the effectiveness of jail’s ability to abate sexual abuse and harassment. The SART review documentation confirmed CCSO commitment to addressing deficiencies and identifying problem areas through the facility. The annual report is reviewed and approved by the Sheriff or Chief Deputy, Jail Commander, Assistant Jail Commander and the PREA Coordinator. The jail redacts some material from the annual report for publication as appropriate. Any redactions are limited to specific materials where publication would present a clear and specific threat to the safety and security of the facility.

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)

CCSO policy, PREA Data Collection and Review requires the jail (PREA Coordinator) to collect accurate, uniform data for every allegation of sexual abuse at the jail under its direct control using a standardized instrument and set of definitions. The data collected (aggregated sexual abuse data) is readily available to the public at least annually through the agency website. The jail also maintains sexual abuse data collected according to 115.38 for at least ten 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 offender or staff member, except where the names of administrative personnel are specifically requested in the report template.

Sonya Love
Auditor Signature
8/31/2016
Date