

# PREA Facility Audit Report: Final

**Name of Facility:** Wilder Youth Development Center

**Facility Type:** Juvenile

**Date Interim Report Submitted:** NA

**Date Final Report Submitted:** 08/02/2024

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input type="checkbox"/>
<b>Auditor Full Name as Signed:</b> Robert Burns Latham	<b>Date of Signature:</b> 08/02/2024

AUDITOR INFORMATION	
<b>Auditor name:</b>	Latham, Robert
<b>Email:</b>	robertblatham@icloud.com
<b>Start Date of On-Site Audit:</b>	06/13/2024
<b>End Date of On-Site Audit:</b>	06/14/2024

FACILITY INFORMATION	
<b>Facility name:</b>	Wilder Youth Development Center
<b>Facility physical address:</b>	13870 Tennessee 59, Somerville, Tennessee - 38068
<b>Facility mailing address:</b>	

Primary Contact
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<b>Name:</b>	
<b>Email Address:</b>	
<b>Telephone Number:</b>	

<b>Superintendent/Director/Administrator</b>	
<b>Name:</b>	E. Andre Bowen
<b>Email Address:</b>	Edward.Bowen@tn.gov
<b>Telephone Number:</b>	901-466-3268

<b>Facility PREA Compliance Manager</b>	
<b>Name:</b>	Samantha Wadstein
<b>Email Address:</b>	Sam.Wadstein@tn.gov
<b>Telephone Number:</b>	O: (931) 446-9000
<b>Name:</b>	Heather Schumacher
<b>Email Address:</b>	heather.schumacher@tn.gov
<b>Telephone Number:</b>	

<b>Facility Health Service Administrator On-Site</b>	
<b>Name:</b>	Ida Douglas
<b>Email Address:</b>	Ida.Douglas@tn.gov
<b>Telephone Number:</b>	901-208-0244

<b>Facility Characteristics</b>	
<b>Designed facility capacity:</b>	144
<b>Current population of facility:</b>	26
<b>Average daily population for the past 12 months:</b>	39

<b>Has the facility been over capacity at any point in the past 12 months?</b>	No
<b>Which population(s) does the facility hold?</b>	Males
<b>Age range of population:</b>	13-18
<b>Facility security levels/resident custody levels:</b>	Level 3 Staff Secure
<b>Number of staff currently employed at the facility who may have contact with residents:</b>	108
<b>Number of individual contractors who have contact with residents, currently authorized to enter the facility:</b>	28
<b>Number of volunteers who have contact with residents, currently authorized to enter the facility:</b>	2

#### AGENCY INFORMATION

<b>Name of agency:</b>	Tennessee Department of Children's Services
<b>Governing authority or parent agency (if applicable):</b>	
<b>Physical Address:</b>	315 Deaderick Street, Nashville , Tennessee - 37243
<b>Mailing Address:</b>	
<b>Telephone number:</b>	

#### Agency Chief Executive Officer Information:

<b>Name:</b>	
<b>Email Address:</b>	
<b>Telephone Number:</b>	

#### Agency-Wide PREA Coordinator Information

<b>Name:</b>	Magdalynn Head	<b>Email Address:</b>	magdalynn.head@tn.gov
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<b>Facility AUDIT FINDINGS</b>	
<b>Summary of Audit Findings</b>	
<p>The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.</p> <p>Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.</p>	
<b>Number of standards exceeded:</b>	
0	
<b>Number of standards met:</b>	
43	
<b>Number of standards not met:</b>	
0	

## POST-AUDIT REPORTING INFORMATION

### GENERAL AUDIT INFORMATION

#### On-site Audit Dates

1. Start date of the onsite portion of the audit:	2024-06-13
2. End date of the onsite portion of the audit:	2024-06-14

#### Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	1. Just Detention International 2. Shelby County Rape Crisis Center

### AUDITED FACILITY INFORMATION

14. Designated facility capacity:	144
15. Average daily population for the past 12 months:	39
16. Number of inmate/resident/detainee housing units:	8
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

## **Audited Facility Population Characteristics on Day One of the Onsite Portion of the Audit**

### **Inmates/Residents/Detainees Population Characteristics on Day One of the Onsite Portion of the Audit**

<b>36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:</b>	32
<b>38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:</b>	0
<b>39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:</b>	8
<b>40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:</b>	2
<b>41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:</b>	0
<b>42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:</b>	0
<b>43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:</b>	0

<b>44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:</b>	0
<b>45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:</b>	3
<b>46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:</b>	2
<b>47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:</b>	0
<b>48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):</b>	No text provided.
<b>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</b>	
<b>49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:</b>	104
<b>50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</b>	2

<b>51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</b>	28
<b>52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:</b>	No text provided.
<b>INTERVIEWS</b>	
<b>Inmate/Resident/Detainee Interviews</b>	
<b>Random Inmate/Resident/Detainee Interviews</b>	
<b>53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:</b>	5
<b>54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)</b>	<input checked="" type="checkbox"/> Age <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input checked="" type="checkbox"/> Length of time in the facility <input checked="" type="checkbox"/> Housing assignment <input type="checkbox"/> Gender <input type="checkbox"/> Other <input type="checkbox"/> None
<b>55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?</b>	Residents were interviewed from each housing unit.
<b>56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No

<b>57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</b>	No text provided.
<b>Targeted Inmate/Resident/Detainee Interviews</b>	
<b>58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:</b>	5
<p>As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".</p>	
<b>60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:</b>	0
<b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b>	<div data-bbox="818 1469 1469 1630"> <input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.         </div> <div data-bbox="818 1675 1469 1756"> <input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.         </div>

<b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b>	Corroboration strategies included discussions with staff and interviews with residents.
<b>61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:</b>	2
<b>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</b>	1
<b>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</b>	0
<b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b>	Corroboration strategies included discussions with staff and interviews with residents.

<b>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</b>	0
<b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b>	<div> <input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. </div> <div> <input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed. </div>
<b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b>	Corroboration strategies included discussions with staff and interviews with residents.
<b>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</b>	0
<b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b>	<div> <input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. </div> <div> <input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed. </div>
<b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b>	Corroboration strategies included discussions with staff and interviews with residents.

<b>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</b>	0
<b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b>	<div> <input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. </div> <div> <input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed. </div>
<b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b>	Corroboration strategies included discussions with staff and interviews with residents.
<b>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</b>	1
<b>68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:</b>	2
<b>69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:</b>	0

<b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b>	<input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.  <input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.
<b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b>	Corroboration strategies included discussions with staff and interviews with residents.
<b>70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</b>	No text provided.
<b>Staff, Volunteer, and Contractor Interviews</b>	
<b>Random Staff Interviews</b>	
<b>71. Enter the total number of RANDOM STAFF who were interviewed:</b>	12
<b>72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</b>	<input checked="" type="checkbox"/> Length of tenure in the facility  <input checked="" type="checkbox"/> Shift assignment  <input checked="" type="checkbox"/> Work assignment  <input checked="" type="checkbox"/> Rank (or equivalent)  <input checked="" type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken)  <input type="checkbox"/> None
<b>If "Other," describe:</b>	Gender, race, ethnicity, and languages spoken were considered.

<b>73. Were you able to conduct the minimum number of RANDOM STAFF interviews?</b>	<input checked="" type="radio"/> Yes  <input type="radio"/> No
<b>74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</b>	No text provided.
<b>Specialized Staff, Volunteers, and Contractor Interviews</b>	
Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.	
<b>75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):</b>	13
<b>76. Were you able to interview the Agency Head?</b>	<input checked="" type="radio"/> Yes  <input type="radio"/> No
<b>77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</b>	<input checked="" type="radio"/> Yes  <input type="radio"/> No
<b>78. Were you able to interview the PREA Coordinator?</b>	<input checked="" type="radio"/> Yes  <input type="radio"/> No
<b>79. Were you able to interview the PREA Compliance Manager?</b>	<input checked="" type="radio"/> Yes  <input type="radio"/> No  <input type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)

**80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)**

- ☒ Agency contract administrator
- ☒ Intermediate or higher-level facility staff responsible for conducting and documenting unannounced rounds to identify and deter staff sexual abuse and sexual harassment
- ☐ Line staff who supervise youthful inmates (if applicable)
- ☒ Education and program staff who work with youthful inmates (if applicable)
- ☒ Medical staff
- ☒ Mental health staff
- ☒ Non-medical staff involved in cross-gender strip or visual searches
- ☒ Administrative (human resources) staff
- ☐ Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff
- ☒ Investigative staff responsible for conducting administrative investigations
- ☐ Investigative staff responsible for conducting criminal investigations
- ☒ Staff who perform screening for risk of victimization and abusiveness
- ☐ Staff who supervise inmates in segregated housing/residents in isolation
- ☒ Staff on the sexual abuse incident review team
- ☒ Designated staff member charged with monitoring retaliation
- ☒ First responders, both security and non-security staff
- ☒ Intake staff

	<input type="checkbox"/> Other
<b>81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>a. Enter the total number of VOLUNTEERS who were interviewed:</b>	2
<b>b. Select which specialized VOLUNTEER role(s) were interviewed as part of this audit from the list below: (select all that apply)</b>	<input type="checkbox"/> Education/programming <input type="checkbox"/> Medical/dental <input type="checkbox"/> Mental health/counseling <input checked="" type="checkbox"/> Religious <input type="checkbox"/> Other
<b>82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>a. Enter the total number of CONTRACTORS who were interviewed:</b>	2
<b>b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)</b>	<input type="checkbox"/> Security/detention <input type="checkbox"/> Education/programming <input checked="" type="checkbox"/> Medical/dental <input type="checkbox"/> Food service <input type="checkbox"/> Maintenance/construction <input type="checkbox"/> Other
<b>83. Provide any additional comments regarding selecting or interviewing specialized staff.</b>	No text provided.

## SITE REVIEW AND DOCUMENTATION SAMPLING

### Site Review

PREA Standard 115.401 (h) states, "The auditor shall have access to, and shall observe, all areas of the audited facilities." In order to meet the requirements in this Standard, the site review portion of the onsite audit must include a thorough examination of the entire facility. The site review is not a casual tour of the facility. It is an active, inquiring process that includes talking with staff and inmates to determine whether, and the extent to which, the audited facility's practices demonstrate compliance with the Standards. Note: As you are conducting the site review, you must document your tests of critical functions, important information gathered through observations, and any issues identified with facility practices. The information you collect through the site review is a crucial part of the evidence you will analyze as part of your compliance determinations and will be needed to complete your audit report, including the Post-Audit Reporting Information.

**84. Did you have access to all areas of the facility?**

☒ Yes

☐ No

**Was the site review an active, inquiring process that included the following:**

**85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?**

☒ Yes

☐ No

**86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?**

☒ Yes

☐ No

**87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?**

☒ Yes

☐ No

**88. Informal conversations with staff during the site review (encouraged, not required)?**

☒ Yes

☐ No

<b>89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).</b>	No text provided.
<b>Documentation Sampling</b>	
Where there is a collection of records to review-such as staff, contractor, and volunteer training records; background check records; supervisory rounds logs; risk screening and intake processing records; inmate education records; medical files; and investigative files-auditors must self-select for review a representative sample of each type of record.	
<b>90. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?</b>	<input checked="checked" type="radio"/> Yes  <input type="radio"/> No
<b>91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).</b>	No text provided.
<b>SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY</b>	
<b>Sexual Abuse and Sexual Harassment Allegations and Investigations Overview</b>	
Remember the number of allegations should be based on a review of all sources of allegations (e.g., hotline, third-party, grievances) and should not be based solely on the number of investigations conducted. Note: For question brevity, we use the term “inmate” in the following questions. Auditors should provide information on inmate, resident, or detainee sexual abuse allegations and investigations, as applicable to the facility type being audited.	

**92. Total number of SEXUAL ABUSE allegations and investigations overview during the 12 months preceding the audit, by incident type:**

	# of sexual abuse allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
<b>Inmate-on-inmate sexual abuse</b>	2	0	2	0
<b>Staff-on-inmate sexual abuse</b>	3	0	3	0
<b>Total</b>	5	0	5	0

**93. Total number of SEXUAL HARASSMENT allegations and investigations overview during the 12 months preceding the audit, by incident type:**

	# of sexual harassment allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
<b>Inmate-on-inmate sexual harassment</b>	6	0	6	0
<b>Staff-on-inmate sexual harassment</b>	0	0	0	0
<b>Total</b>	6	0	6	0

## Sexual Abuse and Sexual Harassment Investigation Outcomes

### Sexual Abuse Investigation Outcomes

Note: these counts should reflect where the investigation is currently (i.e., if a criminal investigation was referred for prosecution and resulted in a conviction, that investigation outcome should only appear in the count for “convicted.”) Do not double count. Additionally, for question brevity, we use the term “inmate” in the following questions. Auditors should provide information on inmate, resident, and detainee sexual abuse investigation files, as applicable to the facility type being audited.

#### 94. Criminal SEXUAL ABUSE investigation outcomes during the 12 months preceding the audit:

	Ongoing	Referred for Prosecution	Indicted/ Court Case Filed	Convicted/ Adjudicated	Acquitted
Inmate-on-inmate sexual abuse	0	0	0	0	0
Staff-on-inmate sexual abuse	0	0	0	0	0
Total	0	0	0	0	0

#### 95. Administrative SEXUAL ABUSE investigation outcomes during the 12 months preceding the audit:

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual abuse	0	1	1	0
Staff-on-inmate sexual abuse	0	1	2	0
Total	0	2	3	0

### Sexual Harassment Investigation Outcomes

Note: these counts should reflect where the investigation is currently. Do not double count. Additionally, for question brevity, we use the term “inmate” in the following questions. Auditors should provide information on inmate, resident, and detainee sexual harassment investigation files, as applicable to the facility type being audited.

**96. Criminal SEXUAL HARASSMENT investigation outcomes during the 12 months preceding the audit:**

	Ongoing	Referred for Prosecution	Indicted/ Court Case Filed	Convicted/ Adjudicated	Acquitted
<b>Inmate-on-inmate sexual harassment</b>	0	0	0	0	0
<b>Staff-on-inmate sexual harassment</b>	0	0	0	0	0
<b>Total</b>	0	0	0	0	0

**97. Administrative SEXUAL HARASSMENT investigation outcomes during the 12 months preceding the audit:**

	Ongoing	Unfounded	Unsubstantiated	Substantiated
<b>Inmate-on-inmate sexual harassment</b>	0	1	4	1
<b>Staff-on-inmate sexual harassment</b>	0	0	0	0
<b>Total</b>	0	1	4	1

**Sexual Abuse and Sexual Harassment Investigation Files Selected for Review**

**Sexual Abuse Investigation Files Selected for Review**

**98. Enter the total number of SEXUAL ABUSE investigation files reviewed/ sampled:**

4

<b>99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)
<b>Inmate-on-inmate sexual abuse investigation files</b>	
<b>100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</b>	1
<b>101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
<b>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
<b>Staff-on-inmate sexual abuse investigation files</b>	
<b>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</b>	3
<b>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)

<b>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
<b>Sexual Harassment Investigation Files Selected for Review</b>	
<b>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</b>	7
<b>107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)
<b>Inmate-on-inmate sexual harassment investigation files</b>	
<b>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</b>	7
<b>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)
<b>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)

**Staff-on-inmate sexual harassment investigation files**

**111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:**

0

**112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?**

☐ Yes

☐ No

☒ NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)

**113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?**

☐ Yes

☐ No

☒ NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)

**114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.**

No text provided.

**SUPPORT STAFF INFORMATION****DOJ-certified PREA Auditors Support Staff**

**115. Did you receive assistance from any DOJ-CERTIFIED PREA AUDITORS at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.**

☐ Yes

☒ No

## Non-certified Support Staff

**116. Did you receive assistance from any NON-CERTIFIED SUPPORT STAFF at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.**

☐ Yes

☒ No

## AUDITING ARRANGEMENTS AND COMPENSATION

**121. Who paid you to conduct this audit?**

- ☒ The audited facility or its parent agency
- ☐ My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option)
- ☐ A third-party auditing entity (e.g., accreditation body, consulting firm)
- ☐ Other

Standards
Auditor Overall Determination Definitions
<ul style="list-style-type: none"> <li>Exceeds Standard (Substantially exceeds requirement of standard)</li> <li>Meets Standard (substantial compliance; complies in all material ways with the stand for the relevant review period)</li> <li>Does Not Meet Standard (requires corrective actions)</li> </ul>
Auditor Discussion Instructions
<p>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.</p>

115.311	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 4.9 Employee Disciplinary Actions and Mediation Process dated April 1, 2020</li> <li>Tennessee Department of Children’s Services Office of Juvenile Justice Organizational Chart dated February 2024</li> <li>Tennessee Department of Children’s Services Protocol for DCS Statewide PREA Coordinator dated October 28, 2020</li> <li>Wilder Youth Development Center Organizational Chart dated September 8, 2023</li> <li>Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile</li> </ol>

Facilities)

**Interviews:**

1. PREA Coordinator
2. PREA Compliance Manager

**Findings (By Provision):**

**115.311 (a)** Wilder Youth Development Center Pre-Audit Questionnaire response:  
The agency has a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment in facilities it operates directly or under contract. The facility has a policy outlining how it will implement the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment. The policy includes definitions of prohibited behaviors regarding sexual abuse and sexual harassment. The policy includes sanctions for those found to have participated in prohibited behaviors. The policy includes a description of agency strategies and responses to reduce and prevent sexual abuse and sexual harassment of residents.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 1, policy statement and purpose sections, states the Department of Children's Services (DCS) shall be committed to a zero-tolerance standard for all forms of sexual abuse/harassment within its Youth Development Center facilities and Contract Agencies that provide congregate care for children/youth in compliance with the Prison Rape Elimination Act (PREA) of 2003 and shall be committed to reducing the risk of sexual abuse and sexual harassment through implementation of the PREA as outlined in Public Law 108-79.

The purpose of this policy is to provide guidelines for DCS's zero-tolerance for all forms of sexual abuse and sexual harassment, and the implementation of PREA to provide a safe, humane, and appropriately secure environment free from threat of sexual abuse/harassment is provided for all children/youth that live in congregate care settings primarily used for the placement of juveniles pursuant to the juvenile justice system.

The policy outlines the facility's approach to preventing, detecting, and responding to such conduct. The policy includes definitions of prohibited behaviors regarding sexual misconduct, sexual abuse and sexual harassment and includes sanctions for those found to have participated in prohibited behaviors. The policy addresses prevention of sexual abuse and sexual harassment through the designations of a PREA Coordinator and PREA Compliance Manager, supervision and monitoring, criminal background checks, staff training, resident education, PREA posters and educational materials. The policy addresses detection of sexual abuse and sexual harassment through resident education, staff training, and intake screening for risk of sexual victimization and abusiveness. The policy addresses responding to sexual abuse and sexual harassment through the various ways of reporting, investigations, disciplinary sanctions for residents and staff, victim advocacy, access to emergency

medical treatment and crisis intervention services, sexual abuse incident reviews, data collection, and data review for corrective action.

**115.311 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency employs or designates an upper-level, agency-wide PREA Coordinator. The PREA Coordinator has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards at the facility.

The position of the PREA Coordinator is in the agency's organizational structure as the Program Director. The PREA Coordinator reports to the Executive Director.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 1, section A.1-2, states DCS designates an upper-level, Statewide PREA Coordinator (SPC) with sufficient time, resources, and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities and contract providers that meet the PREA requirement. The DCS SPC monitors PREA requirements and provides oversight for all applicable state-owned facilities and contract agencies. See Protocol for Statewide PREA Coordinator for detailed information on responsibilities. DCS/Contract Agencies designates a PREA Coordinator with sufficient time and authority to develop, implement and oversee DCS' efforts to comply with the PREA standards in a Youth Development Center facility and Contract Agencies (herein referred to as congregate care settings, YDC/Agency or DCS/Agency, as applicable).

The PREA Coordinator confirmed she has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of the agency's facilities. There is one PREA Compliance Manager.

**115.311 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: The facility has designated a PREA Compliance Manager. The PREA Compliance Manager has sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards.

The position of the PREA Compliance Manager in the agency's organizational structure as the Administrative Support Assistant. The PREA Compliance Manager reports to the Facility Director.

The PREA Compliance Manager confirmed she has sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards.

**Conclusion:** Based upon the review and analysis of the available evidence, the auditor has determined the agency, and facility is fully compliant with this standard requiring a zero-tolerance policy toward sexual abuse and sexual harassment and the designation of a PREA Coordinator and PREA Compliance Manager. No corrective action is required.

115.312	Contracting with other entities for the confinement of residents
	<p data-bbox="279 185 981 219"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="279 264 564 297"><b>Auditor Discussion</b></p> <p data-bbox="279 342 1289 409"><b>The following evidence was analyzed in making the compliance determination:</b></p> <p data-bbox="279 427 469 461"><b>Documents:</b></p> <ol data-bbox="279 465 1458 707" style="list-style-type: none"> <li>1. Contract Between the State of Tennessee Department of Children’s Services and Wayne Halfway House, Inc. dated November 11, 2021</li> <li>2. Contract Between the State of Tennessee Department of Children’s Services and Youth Opportunity Investments, LLC dated November 18, 2021</li> <li>3. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p data-bbox="279 748 443 781"><b>Interview:</b></p> <p data-bbox="279 786 742 819">Agency’s Contract Administrator</p> <p data-bbox="279 860 660 893"><b>Findings (by provision):</b></p> <p data-bbox="279 898 1469 1066"><b>115.312 (a)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency has entered into or renewed a contract for the confinement of residents since the last PREA audit. All of the above contracts require contractors to adopt and comply with PREA Standards.</p> <p data-bbox="279 1099 1445 1301">Since the last PREA audit, whichever is later:  The number of contracts for the confinement of residents that the agency entered into or renewed with private entities or other government agencies: 2  The number of above contracts that DID NOT require contractors to adopt and comply with PREA standards: 0</p> <p data-bbox="279 1335 1469 1536">The Tennessee Department of Children’s Services Contract requires, “The Contractor shall comply with the Prison Rape Elimination Act of 2003 (42 U.S.C. §15601 et seq.) and all applicable PREA Standards and DCS policies related to PREA for preventing, detecting, monitoring, investigating, and eradicating any form of sexual abuse in facilities/programs/offices owned, operated, or contracted.”</p> <p data-bbox="279 1576 1481 1700"><b>115.312 (b)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: All of the above contracts require the agency to monitor the contractor’s compliance with PREA Standards.</p> <p data-bbox="279 1733 1442 1856">Since the last PREA audit, whichever is later, the number of the contracts referenced in 115.312 (a) that DO NOT require the agency to monitor contractor’s compliance with PREA Standards: 0</p> <p data-bbox="279 1890 1469 2092">The Executive Director confirmed the agency has a Program Monitoring and Evaluation (PME) unit that reviews all contracted providers who provide services to children and youth for the department. This unit is responsible for assessing private providers adherence to policies and practices. In addition, the PREA Unit is responsible for monitoring all identified PREA facilities contracted with to ensure</p>

	<p>their practices align with Tennessee Department of Children’s Services Policy and they are in compliance with PREA standards. Compliance results have been completed for all contracted facilities with the exception of one detention center.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the agency is fully compliant with this standard regarding contracting with other entities for the confinement of residents. No corrective action is required.</p>
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<b>115.313</b>	<b>Supervision and monitoring</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. Wilder Youth Development Center Staffing Plan</li> <li>3. Tennessee Department of Children’s Services Staffing Plan Assessment dated December 16, 2022</li> <li>4. Tennessee Department of Children’s Services Staffing Plan Assessment dated November 28, 2023</li> <li>5. Unannounced Rounds Logbook Entries</li> <li>6. Tennessee Department of Children’s Services Wilder Youth Development Center End of Shift Report dated January 2024 (documented deviations)</li> <li>7. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Documents (Corrective Action):</b></p> <ol style="list-style-type: none"> <li>1. Tennessee Department of Children’s Services PREA Evidence Staff Ratio Compliance</li> <li>2. Tennessee Department of Children’s Services Wilder Youth Development Center End of Shift Report revised June 2024</li> <li>3. Tennessee Department of Children’s Services Youth Development Center Shift Rosters for May 2024 through June 2024</li> <li>4. Wilder Youth Development Center Post Orders dated March 16, 2022</li> <li>5. Ratio Compliance Spreadsheets for May 2024 through June 2024</li> </ol> <p><b>Interviews:</b></p> <ol style="list-style-type: none"> <li>1. Superintendent or Designee (Director)</li> <li>2. PREA Coordinator</li> </ol>

3. PREA Compliance Manager
4. Intermediate or Higher-Level Facility Staff

**Site Review Observations:**

Observations during onsite review of facility

**Findings (by provision):**

**115.313 (a)** Wilder Youth Development Center Pre-Audit Questionnaire response:

Since the 2021 PREA audit:

1. The average daily number of residents: 39
2. The average daily number of residents on which the staffing plan was predicated: 43

The auditor reviewed the Wilder Youth Development Center Staffing Plan and observed the staffing plan is fully inclusive of the standard provision requirements.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 12, section J.1, states the YDC/Agency develops, implements, and documents a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect children/youth against sexual abuse. In calculating adequate staffing levels and determining the need for video monitoring, YDC/ Agency takes into consideration:

- Generally accepted juvenile detention and correctional/secure residential practices;
- Any judicial finding of inadequacies;
- Any findings of inadequacy from federal investigative agencies;
- Any finding of inadequacy from internal or external oversight bodies;
- All components of the facilities physical plant (including "blind spots" or areas where staff or children/youth may be isolated);
- The composition of the children/youth population;
- The number and placement of supervisory staff;
- Institution programs occurring on a particular shift;
- Any applicable State or local laws, regulations or standards;
- The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and
- Any other relevant factors

The Director and PREA Coordinator confirmed the facility regularly develops a staffing plan, maintains adequate staffing levels to protect residents against sexual abuse, considers video monitoring as part of the plan, and documents the plan. When assessing staffing levels and the need for video monitoring, the staffing plan considers: generally accepted juvenile detention and correctional/secure residential practices; any judicial findings of inadequacy; any findings of inadequacy from Federal investigative agencies; any findings of inadequacy from internal or external oversight bodies; all components of the facility's physical plant (including "blind spots" or areas where staff or residents may be isolated); the composition of the

resident population; the number and placement of supervisory staff; institution programs occurring on a particular shift; any applicable State or local laws, regulations, or standards; the prevalence of substantiated and unsubstantiated incidents of sexual abuse; and any other relevant factors.

**115.313 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: Each time the staffing plan is not complied with, the facility documents and justifies all deviations from the staffing plan.

If documented, the six most common reasons for deviating from the staffing plan in the past 12 months: high turnover, escalated negative behavior of youth, call outs/ refusals to work, location and ruralness of the facility are factors in the loss of employees or low quality of individuals who apply for positions, majority female security working with all male juveniles can sometimes present issues, and leadership changes

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 12, section J.2, states the YDC/ Agency complies with the staffing plan except during limited and discrete exigent circumstances, and fully documents deviations from the plan during such circumstances.

The Director stated that the facility began maintaining compliant staffing ratios in January 2024. He stated he checks for compliance by reviewing end of shift reports. The auditor reviewed Tennessee Department of Children's Services Wilder Youth Development Center End of Shift Reports and observed noncompliance with the staffing plan is documented. The PAQ indicates end of shift reports were implemented for documenting deviations beginning in January 2024 and prior to that time the deviations were poorly documented.

**115.313 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: The facility is obligated by law, regulation, or judicial consent decree to maintain staffing ratios of a minimum of 1:8 during resident waking hours and 1:16 during resident sleeping hours. The facility maintains staff ratios of a minimum of 1:8 during resident waking hours. The facility maintains staff ratios of a minimum of 1:8 during resident sleeping hours.

In the past 12 months:

1. The number of times the facility deviated from the staffing ratios of 1:8 security staff during resident waking hours: 115
2. The number of times the facility deviated from the staffing ratios of 1:16 security staff during resident sleeping hours: 66

Wilder Youth Development Center Post Orders dated March 16, 2022, requires ratios of a minimum of 1:8 during resident waking hours and 1:16 during resident sleeping hours.

The Director confirmed the ratios are 1:8 for day and 1:16 for night.

**PREA Site Review:** During the site review of the facility the auditor observed all areas where residents were present were compliant with required staffing ratios. Staff were actively supervising the residents in the living units, field, and classrooms.

Prior to January 2024 the facility was not compliant with ratios. Through corrective action, the facility made changes to work schedules and calendars and achieved compliance with staffing ratios of a minimum of 1:8 during resident waking hours and 1:16 during resident sleeping hours. The auditor reviewed the Tennessee Department of Children's Services PREA Evidence Staff Ratio Compliance, Tennessee Department of Children's Services Youth Development Center Shift Rosters for May 2024 through June 2024, and Ratio Compliance Spreadsheets for May 2024 through June 2024. The auditor observed the facility has been able to maintain the required ratios for 6 months.

**115.313 (d)** Wilder Youth Development Center Pre-Audit Questionnaire response: At least once every year the agency or facility, in collaboration with the PREA Coordinator, reviews the staffing plan to see whether adjustments are needed to:

1. The staffing plan;
2. Prevailing staffing patterns;
3. The deployment of monitoring technology; or
4. The allocation of agency or facility resources to commit to the staffing plan to ensure compliance with the staffing plan.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, pages 11-12, section J.4-5, states whenever necessary, but no less frequently than once each year, for the YDC/Agency, in consultation with the PREA Coordinator, the PREA Compliance Manager assesses, determines, and documents in form CS-1045, Staffing Plan Assessment whether adjustments are needed to:

- The staffing plan;
- Prevailing staffing patterns;
- The YDC/Agency's deployment or updating of video monitoring systems and other monitoring technologies the YDC/Agency considers how such technology may enhance the YDC/Agency's ability to protect children/youth from sexual abuse; and
- The resources the YDC/Agency has available to commit to ensure adherence to the staffing plan.

The PREA Compliance Manager submits the completed CS-1045, Staffing Plan Assessment to the PREA Coordinator for review and signature. The PREA Coordinator submits the signed form to the DCS Statewide PREA Coordinator.

The PREA Coordinator confirmed she is consulted regarding any assessments of, or adjustments to, the staffing plan. She confirmed the assessment occurs annually and is documented through the Facility Staffing Plan Assessment. Additionally, there are quarterly administrative reviews of the staffing plan during Performance and Quality improvement Meetings.

	<p>The auditor reviewed the 2022 and 2023 Staffing Plan Assessments and verified they are inclusive of the standard provision requirements.</p> <p><b>115.313 (e)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The facility requires that intermediate-level or higher-level staff conduct unannounced rounds to identify and deter staff sexual abuse and sexual harassment. The facility documents unannounced rounds. The unannounced rounds cover all shifts. The facility prohibits staff from alerting other staff of the conduct of such rounds.</p> <p>State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 12, section J.3, states the YDC/Agency includes in the Post Orders search procedures for intermediate-level or higher-level supervisors to conduct and document unannounced search rounds to identify and deter staff sexual abuse and sexual harassment. Post Orders must include these search procedures for both day and night shifts.</p> <p>The auditor reviewed 12 months of historical documentation showing that unannounced rounds are occurring as required by policy. The facility records the unannounced rounds in logbooks. Through corrective action, the facility improved the process for documenting unannounced rounds and developed the Tennessee Department of Children’s Services Wilder Youth Development Center End of Shift Report dated June 2024.</p> <p>An interview with security staff confirmed unannounced rounds are conducted. The rounds are conducted on all shifts and staff are not alerted they are occurring.</p> <p><b>Conclusion and Corrective Action:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding supervision and monitoring. Corrective action is complete.</p> <p><b>115.313 (c)</b> The facility made changes to work schedules and calendars and achieved compliance with staffing ratios of a minimum of 1:8 during resident waking hours and 1:16 during resident sleeping hours. The auditor reviewed the Tennessee Department of Children’s Services PREA Evidence Staff Ratio Compliance, Tennessee Department of Children’s Services Youth Development Center Shift Rosters for May 2024 through June 2024, and Ratio Compliance Spreadsheets for May 2024 through June 2024. The auditor observed the facility has been able to maintain the required ratios for the past 6 months.</p> <p><b>115.313 (e)</b> The facility improved the process for documenting unannounced rounds and developed the Tennessee Department of Children’s Services Wilder Youth Development Center End of Shift Report dated June 2024.</p>
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<b>115.315</b>	<b>Limits to cross-gender viewing and searches</b>
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**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**The following evidence was analyzed in making the compliance determination:**

**Documents:**

1. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024
2. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 20.20 Guidelines for Managing Children/Youth in DCS Custody Related to Sexual Orientation, Gender Identity and Expression dated January 30, 2015
3. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 27.38 DOE Youth Supervision dated June 15, 2020
4. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 31.4 Search Procedures dated October 21, 2008
5. Tennessee Department of Children's Services Search Request for Transgender and Intersex Youth dated July 2019
6. Tennessee Department of Children's Services Search and Contraband Chain of Custody/Possession dated October 2020
7. Tennessee Department of Children's Services Working with LGBTQ+ Youth PowerPoint
8. Tennessee Department of Children's Services Searches, Mechanical Restraints, and Transportation PowerPoint
9. Tennessee Department of Children's Services Trainee Sign-in Verification Sheet for Working with LGBTQ+ Youth
10. Tennessee Department of Children's Services Trainee Sign-in Verification Sheet for Searches, Mechanical Restraints, and Transportation
11. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)

**Interviews:**

1. Random Sample of Staff
2. Random sample of Residents
3. Transgender or Intersex Residents

**Site Review Observations:**

Observations during onsite review of facility

**Findings (By Provision):**

**115.315 (a)** Wilder Youth Development Center Pre-Audit Questionnaire response: The facility does not conduct cross-gender strip or cross-gender visual body cavity searches of residents.

In the past 12 months:

1. The number of cross-gender strip or cross-gender visual body cavity searches of

residents: 0

2. The number of cross-gender strip or cross-gender visual body cavity searches of residents that did not involve exigent circumstances or were performed by non-medical staff: 0

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 31.4 Search Procedures dated October 21, 2020, page 2, section A.2, states searches should be conducted by employees that are the same gender as the child/youth unless form CS-1219, Search Request for Transgender and Intersex Youth is needed. Transgender (LGBTI) youth may request accommodations regarding the gender of staff conducting the search. Refer to section E-2 of DCS Policy 20.20, Guidelines for Managing Children/Youth in DCS Custody Related to Sexual Orientation, Gender Identity and Expression for additional requirements and documentation for this type of search.

**115.315 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: The facility does not permit cross-gender pat-down searches of residents, absent exigent circumstances.

In the past 12 months:

1. The number of cross-gender pat-down searches of residents: 0

2. The number of cross-gender pat-down searches of residents that did not involve exigent circumstance(s): 0

Wilder Youth Development Center does not conduct cross-gender pat-down searches except in exigent circumstances.

Policy review and interviews with staff and residents confirmed cross-gender searches are not permitted.

**115.315 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: Facility policy requires that all cross-gender strip searches, cross-gender visual body cavity searches, and cross-gender pat-down searches be documented and justified.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 31.4 Search Procedures dated October 21, 2020, page 2, section A.2, states all non-routine invasive child/youth searches are documented by completing form CS-1099, Search and Contraband Chain of Custody/Possession. After completion of form CS-1099, the FSW/JSW or Security Manager/designee uploads the form into the documents section of the youth's case file in TFACTS.

The auditor reviewed the Tennessee Department of Children's Services Search and Contraband Chain of Custody/Possession Form dated October 2020 and observed all cross-gender strip searches, and cross-gender pat-down searches would be documented and justified. Wilder Youth Development Center does not permit body cavity searches.

**115.315 (d)** Wilder Youth Development Center Pre-Audit Questionnaire response: The facility has implemented policies and procedures that enable residents to

shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks (this includes viewing via video camera). Policies and procedures require staff of the opposite gender to announce their presence when entering a resident housing unit or area where residents are likely to be showering, performing bodily functions, or changing clothing.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, pages 10-11, section I.2, states applicable YDC/Agency employees are trained on:

- How to comply with the requirement for staff of the opposite gender to announce their presence when entering a youth housing unit area where youth are likely to be showering, performing bodily functions, or changing clothing; and
- Child's/youth's right to be free to shower, perform bodily functions and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks or genitalia except in exigent circumstances or when such viewing is incidental to routine room checks (This includes viewing via video camera).

Staff interviews confirmed female staff announce their presence when entering a housing unit. Interviews also confirmed residents are able to dress, shower and performing bodily functions without being viewed by female staff. Interviews with residents corroborated that female staff announce their presence when entering a housing unit. All residents stated they are never fully naked in full view of female staff.

**PREA Site Review:** Residents are able to shower, perform bodily functions, and change clothing in the privacy of a single shower behind a shower curtain. The auditor observed cross-gender announcements and signs reminding staff to announce their presence. No cameras enable viewing of residents in a state of undress, such as showering, using the toilet, and/or changing their clothes.

**115.315 (e)** Wilder Youth Development Center Pre-Audit Questionnaire response: The facility has a policy prohibiting staff from searching or physically examining a transgender or intersex resident for the sole purpose of determining the resident's genital status. Zero such searches occurred in the past 12 months.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 20.20 Guidelines for Managing Children/Youth in DCS Custody Related to Sexual Orientation, Gender Identity and Expression dated January 30, 2015, page 1, section A.2, states transgender or intersex youth will not be searched or physically examined for the sole purpose of determining genital status. If the child/youth's genital status is unknown, this information may be determined through an interview, review of medical records or as part of the child/youth's medical check-up with a medical practitioner.

Interviews with staff confirmed they are aware of the policy prohibiting them from

searching or physically examining a transgender or intersex juvenile for the purpose of determining the juvenile's genital status.

No residents who identified as transgender or intersex were identified during the onsite phase of the audit.

**115.315 (f)** The percent of all security staff who received training on conducting cross-gender pat-down searches and searches of transgender and intersex residents in a professional and respectful manner, consistent with security needs: 100%

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 11, section I.5, states DCS/Agency security staff receive training on how to conduct cross-gender pat-down searches, and searches of transgender and intersex children/youth, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. Any exigent circumstance that requires a cross-gender search must be justified and documented. Body cavity searches are prohibited.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 31.4 Search Procedures dated October 21, 2020, page 2, section A.2, states searches should be conducted by employees that are the same gender as the child/youth unless form CS-1219, Search Request for Transgender and Intersex Youth is needed. Transgender (LGBTI) youth may request accommodations regarding the gender of staff conducting the search. Refer to section E-2 of DCS Policy 20.20, Guidelines for Managing Children/Youth in DCS Custody Related to Sexual Orientation, Gender Identity and Expression for additional requirements and documentation for this type of search.

The auditor reviewed the staff training curriculum and staff training records for verification the training is provided. The training curricula includes the Tennessee Department of Children's Services Working with LGBTQ+ Youth PowerPoint and the Tennessee Department of Children's Services Searches, Mechanical Restraints, and Transportation PowerPoint. The auditor reviewed a Tennessee Department of Children's Services Trainee Sign-in Verification Sheet for Working with LGBTQ+ Youth and Tennessee Department of Children's Services Trainee Sign-in Verification Sheet for Searches, Mechanical Restraints, and Transportation. Approximately 114 staff received the training in 2023 and 2023.

Lastly, the auditor reviewed the Tennessee Department of Children's Services Search Request for Transgender and Intersex Youth dated July 2019 and observed transgender and intersex residents would be permitted to request the staff gender performing searches.

**Conclusion:** Based upon the review and analysis of the available evidence, the auditor has determined the facility is compliant with this standard regarding limits to cross-gender viewing and searches. No corrective action is required.

115.316	<b>Residents with disabilities and residents who are limited English proficient</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 1.1 Providing Equal Access to Programs, Services, and Activities for Individuals with Disabilities under the Americans with Disabilities Act (ADA) dated February 26, 2018</li> <li>2. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.4 Intake and Orientation at a Youth Development Center dated May 7, 2024</li> <li>3. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>4. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.12 DOE Services for Identified Youth Needs dated February 26, 2018</li> <li>5. Tennessee Department of Children’s Services Juvenile Rules, Regulations, Rights, Procedures and Youth Handbook PowerPoint</li> <li>6. Tennessee Department of Children’s Services Trainee Sign-in Verification Sheet for Juvenile Rules and Regulations</li> <li>7. Tennessee Department of Children’s Services Trainee Sign-in Verification Sheet for PREA Overview</li> <li>8. Tennessee Department of Children’s Services What You Should Know About Sexual Abuse and Sexual Harassment Brochure (English and Spanish)</li> <li>9. PREA Posters (English and Spanish)</li> <li>10. Interpreter Contract with Uwork.com, Inc. dated March 1, 2022</li> <li>11. Tennessee Department of Children’s Services Youth Handbook dated April 2024 (English and Spanish)</li> <li>12. Tennessee Department of Children’s Services Client’s Rights Handbook dated May 2023 (English and Spanish)</li> <li>13. Tennessee Department of Children’s Services Notification of Equal Access to Programs and Services and Grievance Procedures dated January 2017</li> <li>14. Memorandum Regarding Equal Opportunity for Disabled Residents (PREA) dated May 24, 2024</li> <li>15. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Interviews:</b></p> <ol style="list-style-type: none"> <li>1. Agency Head (Executive Director)</li> <li>2. Random Sample of Staff</li> <li>3. Residents (with disabilities or who are limited English proficient)</li> </ol>

**Site Review Observations:**

Observations during onsite review of facility

**Findings (By Provision):**

**115.316 (a)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency has established procedures to provide disabled residents equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 1.1 Providing Equal Access to Programs, Services, and Activities for Individuals with Disabilities under the Americans with Disabilities Act (ADA) dated February 26, 2018, page 1, policy statement and purpose sections, states no qualified individual shall, by reason of disability, be excluded from participation in or be denied the benefit of services, programs, and activities of the Tennessee Department of Children's Services, or otherwise be subjected to discrimination by the Tennessee Department of Children's Services (DCS).

To ensure compliance with requirements of the Americans with Disabilities Act (ADA) for qualified individuals with disabilities by providing individualized treatment and the full and equal opportunity to access and participate in services. This policy establishes a uniform procedure for the Department to consider and respond to requests for reasonable accommodations to qualified individuals receiving and participating in the services, programs, and activities of the Department under the ADA.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.12 DOE Services for Identified Youth Needs dated February 26, 2018, page 1, policy statement section, states it is the responsibility of the Department of Children's Services to provide the resources that are necessary to adequately and effectively meet the needs of each of its youth as identified in their Individual Program Plan (IPP). Staff should make every possible effort to utilize existing resources within the Department of Children's Services including personnel and equipment which can be purchased or contracted for to meet the identified needs of all youths.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 4, section C.4, states appropriate provisions are made as necessary for children/youth who are limited English proficient, have disabilities (including those who are deaf or hard of hearing, those who are blind or have low vision), and those with low intellectual, psychiatric, or speech disabilities.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.4 Intake and Orientation at a Youth Development Center dated May 7, 2024, page 3, section C.4, states if a youth speaks a language other than English or is disabled (including, for example, residents who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric,

or speech disabilities), the RCM contacts the DCS contracted interpreter services or a special education teacher to assist the youth in understanding the material. The assistance would include, at a minimum, the teacher or interpreter reading and reviewing the PREA and Grievance portions of the Youth Handbook for a Tennessee Youth Development Center and form CS-0939, Youth Acknowledgement and Notification of PREA to ensure the youth understand their rights to be safe as it relates to PREA. The RCM notifies the Director of Treatment if a youth is disabled or speaks a language other than English. If a youth cannot read, the RCM reads the material to the youth and then explains and makes sure he understands before signing intake documents. The person who reads the PREA information to the ESL/ disabled youth signs the bottom of the form as well.

The agency provided a memorandum regarding equal opportunity for disabled residents dated May 24, 2024. The memorandum details the agency's efforts to provide services to residents. The facility receives background information, prior to admission, on residents identified as having possible disabilities. The information received prior to placement includes, but is not limited to: medical records, mental health diagnosis, developmental standards, special education needs and youth primary language. During the review process, staff take note of the conditions of the youth and plan accordingly.

When youth arrive on campus, they meet with the PREA Compliance Manager and their clinical representative to receive PREA education and take the appropriate assessments. For youth with identified learning disabilities the PREA information is reviewed with the PREA Compliance Manager and the Special Education Teacher to ensure that any developmental concerns are addressed. This may include modifying or adapting information for the resident to better understand. Youth who have low eyesight or other vision impairments may have the PREA information read to them. Youth who are deaf or hard of hearing can receive support services through the interpreter contract "where the CA will type in a format similar to American Sign Language and translate the typed message into conversational English." All youth receive PREA information in several formats and ways to include the youth handbook, PREA Brochures, PREA educational videos, and conversations with the treatment team, to ensure that that youth have a full understanding of their rights to be free from sexual abuse, harassment, and retaliation. If a youth cannot read, the staff person reads the material to the youth and then explains and makes sure he understands before signing intake documents. During the classification period, information is reviewed, and an individual program plan (IPP) is developed with the youth and family. The youth's treatment team puts into place a specialized treatment plan that includes wrap around services.

The Executive Director confirmed the agency has established procedures to provide disabled residents equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

During the onsite phase of the audit, there were two residents who were interviewed who had a cognitive or functional disability and one resident was

interviewed who was identified as having low vision. The residents stated they did not require assistance with understanding the PREA information.

**115.316 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency has established procedures to provide residents with limited English proficiency equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.4 Intake and Orientation at a Youth Development Center dated May 7, 2024, page 3, section C.4, states if a youth speaks a language other than English or is disabled (including, for example, residents who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), the RCM contacts the DCS contracted interpreter services or a special education teacher to assist the youth in understanding the material. The assistance would include, at a minimum, the teacher or interpreter reading and reviewing the PREA and Grievance portions of the Youth Handbook for a Tennessee Youth Development Center and form CS-0939, Youth Acknowledgement and Notification of PREA to ensure the youth understand their rights to be safe as it relates to PREA. The RCM notifies the Director of Treatment if a youth is disabled or speaks a language other than English. If a youth cannot read, the RCM reads the material to the youth and then explains and makes sure he understands before signing intake documents. The person who reads the PREA information to the ESL/ disabled youth signs the bottom of the form as well.

No residents were identified as limited English proficient. The auditor tested access to interpreter services through staff assistance. The staff called Linguistica International and confirmed services are available.

**PREA Site Review:** The auditor observed posters, the brochure, and resident handbook are available in in English and Spanish. The auditor observed the intake staff was able to access the interpretation services contact information.

**115.316 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: Agency policy prohibits use of resident interpreters, resident readers, or other types of resident assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the resident's safety, the performance of first-response duties under §115.364, or the investigation of the resident's allegations. The agency or facility documents the limited circumstances in individual cases where resident interpreters, readers, or other types of resident assistants are used.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 4, section C.4, states the YDC/Agency does not rely on child/youth interpreters except in urgent circumstances where safety may be compromised.

	<p>In the past 12 months, the number of instances where resident interpreters, readers, or other types of resident assistants have been used and it was not the case that an extended delay in obtaining another interpreter could compromise the resident's safety, the performance of first-response duties under §115.364, or the investigation of the resident's allegations: 0</p> <p>Staff interviews confirmed the agency would use an interpreter service for interpretation. No staff interviewed had any knowledge of resident interpreters, resident readers, or any other types of resident assistants being used in relation to allegations of sexual abuse or sexual harassment.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding residents with disabilities and residents who are limited English Proficient. No corrective action is required.</p>
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115.317	Hiring and promotion decisions
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 4.1 Employee Background Checks dated May 7, 2024</li> <li>2. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 4.9 Employee Disciplinary Actions and Mediation Process dated April 1, 2020</li> <li>3. Tennessee Department of Children's Services Background Check History and IV-E Eligibility Checklist Annual</li> <li>4. Tennessee Department of Children's Services Background Check History and IV-E Eligibility Checklist New Hires</li> <li>5. Tennessee Department of Children's Services Database Search</li> <li>6. Tennessee Department of Children's Services Self-Declaration of Sexual Abuse/ Sexual Harassment for YDC Employees dated July 2017</li> <li>7. Tennessee Department of Children's Services Self-Declaration of Sexual Abuse/ Sexual Harassment for YDC Employees revised May 2024</li> <li>8. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Documents (Corrective Action):</b></p> <ol style="list-style-type: none"> <li>1. Memorandum Regarding Prior Institutional Employer Contact dated June 11, 2024</li> <li>2. Tennessee Department of Children's Services PREA Questionnaire for Prior Institutional Employers dated June 2024</li> </ol>

**Interview:**

1. Administrative (Human Resources) Staff

**Findings (By Provision):**

**115.317 (a)** Wilder Youth Development Center Pre-Audit Questionnaire response: Agency policy prohibits hiring or promoting anyone who may have contact with residents, and prohibits enlisting the services of any contractor who may have contact with residents, who:

1. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997);
2. Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or
3. Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(2) of this section.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 4.1 Employee Background Checks dated May 7, 2024, page 2, section A.9, states Wilder (DCS/Contract) applicants who may have contact with children must complete form CS-1120, Self-Declaration of Sexual Abuse/Sexual Harassment for YDC Employees. The form will be submitted to the appropriate designated DCS staff prior to applicants being hired or promoted

The auditor reviewed the Tennessee Department of Children's Services Self-Declaration of Sexual Abuse/Sexual Harassment for YDC Employees dated May 2024 and observed the questions about prior misconduct are included. The auditor reviewed self-declaration forms for contractors and persons hired in the 12 months preceding the audit and observed the 3 questions regarding past conduct were asked and answered.

The Human Resources Director interview supported the documented evidence. The facility asks all applicants and contractors about previous misconduct in written applications for hiring and promotions and in written self-evaluations conducted as part of reviews for current employees.

**115.317 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: Agency policy requires the consideration of any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with residents.

The auditor reviewed the Tennessee Department of Children's Services Self-Declaration of Sexual Abuse/Sexual Harassment for YDC Employees dated May 2024 and observed the form includes consideration of incidents of sexual harassment.

The Human Resources Director confirmed the department considers prior incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with the residents.

**115.317 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response:

Agency policy requires that before it hires any new employees who may have contact with residents, it (a) conducts criminal background record checks, (b) consults any child abuse registry maintained by the State or locality in which the employee would work; and (c) consistent with Federal, State, and local law, makes its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.

During the past 12 months:

1. The number of persons hired who may have contact with residents who have had criminal background record checks: 102
2. The percent of persons hired who may have contact with residents who have had criminal background record checks: 100%

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 4.1 Employee Background Checks dated May 7, 2024, page 2, section A.4.a-f, states the following documentation and background checks comprise a complete background check:

- a) Criminal records check from local law enforcement records or county court records for all residences of employee within the immediate six (6) months preceding application for employment.
- b) TBI/FBI fingerprint check. For a detailed description regarding the fingerprint check, refer to the Protocol for Fingerprint Process and Analysis.
- c) Driving records check to include current valid driver license and a check of moving violations records in state of residency, if available.
- d) National Sexual Offender Registry Clearance.
- e) Tennessee Department of Health Abuse Registry Clearance.
- f) DCS database records check submitted through either the TFACTS portal or filling out form CS-0741, Database Search Results.

The auditor reviewed records of background checks of personnel hired in the past 12 months for verification they are conducted in compliance with the standard provision. The records include criminal background record checks and child abuse registry checks.

Through corrective action, the facility developed and implemented the Tennessee Department of Children's Services PREA Questionnaire for Prior Institutional Employers dated June 2024. The facility provided a memorandum regarding prior institutional employer contact dated June 11, 2024, stating the form will be used to contact prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.

The Human Resources Director confirmed the agency performs criminal background record checks and considers pertinent civil or administrative adjudications for all newly hired employees who may have contact with the residents and all employees, who may have contact with residents who are being considered for promotions. The Human Resources Director also confirmed the department consults the Tennessee

Department of Children's Services Database.

**115.317 (d)** Wilder Youth Development Center Pre-Audit Questionnaire response: Agency policy requires that a criminal background records check be completed, and applicable child abuse registries consulted before enlisting the services of any contractor who may have contact with residents.

During the past 12 months:

1. The number of contracts for services where criminal background record checks were conducted on all staff covered in the contract who might have contact with residents: 10
2. The percent of contracts for services where criminal background record checks were conducted on all staff covered in the contract who might have contact with residents: 100%

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 4.1 Employee Background Checks dated May 7, 2024, page 2, section A.4.a-f, states the following documentation and background checks comprise a complete background check:

- a) Criminal records check from local law enforcement records or county court records for all residences of employee within the immediate six (6) months preceding application for employment.
- b) TBI/FBI fingerprint check. For a detailed description regarding the fingerprint check, refer to the Protocol for Fingerprint Process and Analysis.
- c) Driving records check to include current valid driver license and a check of moving violations records in state of residency, if available.
- d) National Sexual Offender Registry Clearance.
- e) Tennessee Department of Health Abuse Registry Clearance.
- f) DCS database records check submitted through either the TFACTS portal or filling out form CS-0741, Database Search Results.

The Human Resources Director confirmed the department performs criminal background record checks and considers pertinent civil or administrative adjudications for all contractors who may have contact with the residents and all contractors, who may have contact with residents who are being considered for promotions.

The auditor reviewed records of background checks of contractors and verified they are conducted in compliance with the standard provision.

**115.317 (e)** Wilder Youth Development Center Pre-Audit Questionnaire response: Agency policy requires that either criminal background records checks be conducted at least every five years of current employees and contractors who may have contact with residents or that a system is in place for otherwise capturing such information for current employees.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 4.1 Employee Background Checks dated May 7, 2024, page 3, section B.1, states DCS/Contract Agencies conduct annual background checks on all

employees who may or may not have direct contact with children or employees who work with sensitive or confidential information.

The interview with the Human Resources Director confirmed the agency conducts criminal background records checks annually for current employees and contractors who may have contact with residents.

The auditor reviewed annual background checks for staff interviewed and an additional selection of staff, and observed background checks are conducted annually.

**115.317 (f)** State of Tennessee Department of Children's Services Administrative Policies and Procedures: 4.1 Employee Background Checks dated May 7, 2024, page 3, section B.1, states DCS/Contract Agency employees who may have direct contact with children are required to complete form CS-1120, Self-Declaration of Sexual Abuse/Sexual Harassment for YDC Employees annually. In addition, the above questions shall be asked during interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of reviews of current employees.

The auditor reviewed self-declaration forms for staff interviewed and an additional selection of staff and confirmed the questions about previous misconduct are asked and answered annually and for promotions.

**115.317 (g)** Wilder Youth Development Center Pre-Audit Questionnaire response: Agency policy states that material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 4.9 Employee Disciplinary Actions and Mediation Process dated April 1, 2020, pages 4-5, section E.1.c, states in addition to the disciplinary offenses listed in the Rules of the Tennessee

Department of Human Resources – Disciplinary Action (Chapter 1120-10), the following offenses may be grounds for disciplinary action, up to and including termination:

- a) Violation of the Oath of Office of the Department of Children's Services ;
- b) Failure to comply with DCS Policies and Procedures/Protocols; and
- c) Falsification of any official document.

**115.317 (h)** The Human Resources Director confirmed the agency would provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work.

**Conclusion and Corrective Action:** Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding hiring and promotion decisions. Corrective action is complete.

**115.317 (c)** The facility developed and implemented the Tennessee Department of

	Children’s Services PREA Questionnaire for Prior Institutional Employers dated June 2024. The facility provided a memorandum regarding prior institutional employer contact dated June 11, 2024, stating the form will be used to contact prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.
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<b>115.318</b>	<b>Upgrades to facilities and technologies</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. Memorandum Regarding Upgrades to Facilities and Technologies dated April 5, 2024</li> <li>3. Capital Budget Request</li> <li>4. Security Camera Maintenance Contract</li> <li>5. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Interviews:</b></p> <ol style="list-style-type: none"> <li>1. Agency Head (Executive Director)</li> <li>2. Superintendent or Designee (Director)</li> </ol> <p><b>Site Review Observations:</b></p> <p>Observations during on-site review of physical plant</p> <p><b>Findings (By Provision):</b></p> <p><b>115.318 (a)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency or facility has not acquired a new facility or made a substantial expansion or modification to existing facilities since the last PREA audit.</p> <p>State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 12, section J.6, states when designing or acquiring any new facility and in planning any substantial expansion or modification of an existing facility, the YDC/Agency considers the effect of the design, acquisition, expansion or modification upon the YDC/Agency’s ability to protect children/youth from sexual abuse.</p>

	<p>The Executive Director and the Director both confirmed the facility considers the ability to protect residents from sexual abuse when designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities. Also, the agency would consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect residents from sexual abuse.</p> <p><b>115.318 (b)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency or facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since the last PREA audit.</p> <p>The PAQ indicates two additional cameras have been added to the video monitoring system.</p> <p>The Executive Director and the Director both confirmed when installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency shall consider how such technology may enhance the agency's ability to protect residents from sexual abuse.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the agency, and facility is fully compliant with this standard regarding upgrades to facilities and technologies. No corrective action is required.</p>
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115.321	Evidence protocol and forensic medical examinations
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 14.10 Special Investigations Unit Child Protective Services Investigations dated May 7, 2024</li> <li>2. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>3. Tennessee Department of Children's Services Protocol for DCS PREA Investigators to Conduct Prison Rape Elimination Act (PREA) Investigation</li> <li>4. Memorandum of Understanding Between the Tennessee Department of Children's Services and Shelby County Crime Victims and Rape Crisis Center dated May 9, 2024</li> <li>5. Contract Between Tennessee Department of Children's Services and the Carl Perkins Center dated June 16, 2020</li> </ol>

6. Contract Between Tennessee Department of Children's Services and the Memphis Child Advocacy Center dated July 1, 2020
7. Correspondence Between the Wilder Youth Development Center and the Fayette County Sheriff's Office dated April 2024
8. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)

**Interviews:**

1. PREA Compliance Manager
2. Random Sample of Staff
3. SAFEs/SANEs
4. Residents who Reported a Sexual Abuse

**Findings (By Provision):**

**115.321 (a)** Wilder Youth Development Center Pre-Audit Questionnaire response: The facility is responsible for conducting administrative or criminal sexual abuse investigations (including resident-on-resident sexual abuse or staff sexual misconduct).

When conducting a sexual abuse investigation, the investigators follow a uniform evidence protocol.

Staff interviews confirmed they are knowledgeable of the agency's protocol for obtaining usable physical evidence if a resident alleges sexual abuse. They were also knowledgeable that DCS and local law enforcement are responsible for conducting sexual abuse investigations.

**115.321 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: The protocol is developmentally appropriate for youth.

The protocol was adapted from or otherwise based on the most recent edition of the DOJ's Office on Violence Against Women publication, 'A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents,' or similarly comprehensive and authoritative protocols developed after 2011.

The auditor reviewed the Tennessee Department of Children's Services Protocol for DCS PREA Investigators to Conduct Prison Rape Elimination Act (PREA) Investigation and observed the protocol is developmentally appropriate for youth.

**115.321 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: The facility offers all residents who experience sexual abuse access to forensic medical examinations. Forensic medical examinations are offered without financial cost to the victim. Where possible, examinations are conducted by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs). When SANEs or SAFEs are not available, a qualified medical practitioner performs forensic medical examinations.

During the past 12 months:

1. The number of forensic medical exams conducted: 0

2. The number of exams performed by SANEs/SAFEs: N/A  
3. The number of exams performed by a qualified medical practitioner: N/A

Le Bonheur Children's Hospital has SANE services available. Additionally, SANEs are available through Shelby County Rape Crisis Center. The auditor contacted the Shelby County Rape Crisis Center Director and confirmed availability of the services.

**115.321 (d)** Wilder Youth Development Center Pre-Audit Questionnaire response: The facility makes a victim advocate from a rape crisis center available to the victim, in person or by other means.

The auditor reviewed the Memorandum of Understanding Between the Tennessee Department of Children's Services and Shelby County Crime Victims and Rape Crisis Center dated May 9, 2024 and observed the agreement provides for a qualified victim advocate. The auditor contacted the Shelby County Rape Crisis Center Director and confirmed availability of victim advocates.

The PREA Compliance Manager confirmed a victim advocate would be available through the Shelby County Rape Crisis Center.

**115.321 (e)** Wilder Youth Development Center Pre-Audit Questionnaire response: If requested by the victim, a victim advocate, or qualified agency staff member, or qualified community-based organization staff member accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provides emotional support, crisis intervention, information, and referrals.

One resident, who reported sexual abuse or sexual harassment, was interviewed. The resident stated there was no forensic medical examination and no victim advocate was requested.

The auditor contacted the Shelby County Rape Crisis Center Director and confirmed the availability a victim advocate to accompany and support a victim through the forensic medical examination process and investigatory interviews.

The PREA Compliance Manager confirmed a victim advocate from the Shelby County Rape Crisis Center would be available to accompany and support a victim through the forensic medical examination process

**115.321 (f)** Wilder Youth Development Center Pre-Audit Questionnaire response: If the agency is not responsible for administrative or criminal investigating allegations of sexual abuse and relies on another agency to conduct these investigations, the agency has requested that the responsible agency follow the requirements of paragraphs §115.321 (a) through (e) of the standards.

The auditor reviewed correspondence between the Wilder Youth Development Center and the Fayette County Sheriff's Office dated April 2024 requesting the FCSO follow the requirements the standard. The correspondence indicates the FCSO did not agree to assign a formal memorandum of understanding.

**Conclusion:** Based upon the review and analysis of the available evidence, the

	auditor has determined the facility is fully compliant with this standard regarding evidence protocol and forensic medical examinations. No corrective action is required.
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<b>115.322</b>	<b>Policies to ensure referrals of allegations for investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 14.10 Special Investigations Unit Child Protective Services Investigations dated May 7, 2024</li> <li>2. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>3. Tennessee Department of Children’s Services Protocol for DCS PREA Investigators to Conduct Prison Rape Elimination Act (PREA) Investigation</li> <li>4. Investigation Reports</li> <li>5. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Interview:</b></p> <p>Agency Head or Designee (Executive Director)</p> <p><b>Findings (By Provision):</b></p> <p><b>115.322 (a)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.</p> <p>In the past 12 months:</p> <ol style="list-style-type: none"> <li>1. The number of allegations of sexual abuse and sexual harassment that were received: 11</li> <li>2. The number of allegations resulting in an administrative investigation: 11</li> <li>3. The number of allegations referred for criminal investigation: 2</li> </ol> <p>State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 8, section F.1, states DCS ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse/assault/misconduct/ harassment.</p>

The Executive Director confirmed the agency ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse or sexual harassment.

The auditor reviewed 11 reports of sexual abuse and harassment allegations, including full investigative reports with findings. There were 2 unsubstantiated allegations of staff-on-resident sexual abuse, 1 unfounded allegation of staff-on-resident sexual abuse, 1 unsubstantiated allegation of resident-on-resident sexual abuse, 1 unfounded allegation of resident-on-resident sexual abuse, 4 unsubstantiated allegation of resident-on-resident sexual harassment, 1 unfounded allegation of resident-on-resident sexual harassment, and 1 substantiated allegation of resident-on-resident sexual harassment.

**115.322 (b)** The agency has a policy that requires that allegations of sexual abuse or sexual harassment be referred for investigation to an agency with the legal authority to conduct criminal investigations, including the agency if it conducts its own investigations, unless the allegation does not involve potentially criminal behavior.

The agency's policy regarding the referral of allegations of sexual abuse or sexual harassment for a criminal investigation is published on the agency website or made publicly available via other means.

The agency documents all referrals of allegations of sexual abuse or sexual harassment for criminal investigation.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 8, section F.4, states all sexual abuse/harassment allegations are deemed severe abuse by DCS policy and are referred to law enforcement as part of the Child Protective Investigative Team (CPIT). At the conclusion of the investigation all information is presented to the CPIT team, where law enforcement and the District Attorney's office discuss prosecution.

**115.322 (c)** State of Tennessee Department of Children's Services Administrative Policies and Procedures: 14.10 Special Investigations Unit Child Protective Services Investigations dated May 7, 2024 and State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024 describe the responsibilities of both DCS and local law enforcement.

The auditor observed the published policies at <https://www.tn.gov/dcs/program-areas/qi/policies-reports-manuals/jj-policies.html>.

**Conclusion:** Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding policies to ensure referrals of allegations for investigations. No corrective action is required.

115.331	Employee training
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. Training PowerPoint</li> <li>3. Required Training Chart for Department of Children’s Services Staff dated February 2022</li> <li>4. Tennessee Department of Children’s Services Volunteer Service Procedures dated April 2024</li> <li>5. PREA Status Spreadsheet for the October 2023 to September 2024 Training Year</li> <li>6. Tennessee Department of Children’s Services Trainee Sign-in Verification Sheet for Working with LGBTQ+ Youth</li> <li>7. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Interviews:</b></p> <ol style="list-style-type: none"> <li>1. Random Sample of Staff</li> </ol> <p><b>Findings (By Provision):</b></p> <p><b>115.331 (a)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency trains all employees who may have contact with residents on the eleven required topics.</p> <p>State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, pages 10-11, section I.2, states applicable YDC/Agency employees are trained on:</p> <ul style="list-style-type: none"> <li>• The zero-tolerance policy for sexual abuse and sexual harassment;</li> <li>• How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting and response policies and procedures;</li> <li>• Child’s/youth’s right to be free from sexual abuse and sexual harassment;</li> <li>• The right of children/youth and employees to be free from retaliation for reporting sexual abuse and sexual harassment;</li> <li>• The dynamics of sexual abuse and sexual harassment in juvenile facilities;</li> <li>• How to detect and respond to signs of threatened and actual sexual abuse and how to distinguish between consensual sexual contact and sexual abuse between children/youth;</li> <li>• How to avoid inappropriate relationships with children/youth;</li> </ul>

- How to communicate effectively and professionally with children/youth, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming children/youth.
- How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities;
- Relevant laws regarding the applicable age of consent;
- How to comply with the requirement for staff of the opposite gender to announce their presence when entering a youth housing unit area where youth are likely to be showering, performing bodily functions, or changing clothing; and
- Child's/youth's right to be free to shower, perform bodily functions and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks or genitalia except in exigent circumstances or when such viewing is incidental to routine room checks (This includes viewing via video camera).

Staff interviewed confirmed they have received training on the 11 PREA topics in standard 115.331 when hired and annually thereafter. The auditor reviewed 42 staff training acknowledgements for staff interviewed. The training was completed in 2023.

**115.331 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: Training is tailored to the unique needs and attributes and gender of the residents at the facility. Employees who are reassigned from facilities housing the opposite gender are given additional training.

Wilder Youth Development Center is an all-male facility.

**115.331 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: Between trainings the agency provides employees who may have contact with residents with refresher information about current policies regarding sexual abuse and harassment. The frequency with which employees who may have contact with residents receive refresher training on PREA requirements: initially and at least annually

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 11, section I.3.a, states YDC/Agency employees receive training during orientation and through annual refresher training thereafter.

The auditor reviewed 42 staff training acknowledgements. The training was completed in 2023.

**115.331 (d)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency documents that employees who may have contact with residents understand the training they have received through employee signature or electronic verification.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and

	<p>Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 11, section I.6, states all DCS/Agency employees, volunteers and contractors are required to sign form CS-0940, Employee Acknowledgement and Notification of Prison Rape Elimination Act (PREA) to acknowledge they have read the DCS zero-tolerance policy and understand the training they have received.</p> <p>The auditor reviewed the Employee/Volunteer/Contractor Acknowledgement and Notification of Prison Rape Elimination ACT (PREA) and observed staff initial and sign the acknowledgement to document they understand the training they have received.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility exceeds this standard regarding employee training. Training is conducted annually. No corrective action is required.</p>
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115.332	Volunteer and contractor training
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. Training PowerPoint</li> <li>3. Required Training Chart for Department of Children’s Services Staff dated February 2022</li> <li>4. Tennessee Department of Children’s Services Volunteer Service Procedures dated April 2024</li> <li>5. Tennessee Department of Children’s Services Protocol: First Responder Guidelines for Sexual Assaults dated September 1, 2010</li> <li>6. Employee/Volunteer/Contractor Acknowledgement and Notification of Prison Rape Elimination ACT (PREA)</li> <li>7. Medical and Mental Health Staff Lists</li> <li>8. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Interviews:</b></p> <ol style="list-style-type: none"> <li>1. Volunteers and Contractors who have Contact with Residents</li> </ol> <p><b>Findings (By Provision):</b></p> <p><b>115.332 (a)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: All volunteers and contractors who have contact with residents have been trained</p>

on their responsibilities under the agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response.

The number of volunteers and contractors, who have contact with residents, who have been trained in agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response: 30

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, pages 10-11, section I.2-3.b, states applicable YDC/Agency employees are trained on:

- The zero-tolerance policy for sexual abuse and sexual harassment;
- How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting and response policies and procedures;
- Child's/youth's right to be free from sexual abuse and sexual harassment;
- The right of children/youth and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
- The dynamics of sexual abuse and sexual harassment in juvenile facilities;
- How to detect and respond to signs of threatened and actual sexual abuse and how to distinguish between consensual sexual contact and sexual abuse between children/youth;
- How to avoid inappropriate relationships with children/youth;
- How to communicate effectively and professionally with children/youth, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming children/youth.
- How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities;
- Relevant laws regarding the applicable age of consent;
- How to comply with the requirement for staff of the opposite gender to announce their presence when entering a youth housing unit area where youth are likely to be showering, performing bodily functions, or changing clothing; and
- Child's/youth's right to be free to shower, perform bodily functions and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks or genitalia except in exigent circumstances or when such viewing is incidental to routine room checks (This includes viewing via video camera).

All YDC/Agency staff and persons listed below receive training in compliance with PREA Standards:

a) All YDC/Agency employees receive training during orientation and through annual refresher training thereafter.

b) All YDC/Agency volunteers that have direct contact with children/youth receive training during orientation and annual refresher training thereafter.

Interviews with 2 contracted medical and mental health staff and 2 volunteers confirmed they have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies

and procedures. The auditor reviewed the training curriculum and volunteer/contractor acknowledgement forms for 15 volunteers and contractors and observed they have been trained on their responsibilities under the agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response. Training occurred in 2023 and 2024.

**115.332 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: The level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with residents, but all volunteers and contractors who have contact with residents shall be notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 11, section I.3.d, states medical and mental health care practitioners also receive the training mandated for employees under PREA Standards § 115.331 or for contractors and volunteers under PREA Standards § 115.332, depending upon the practitioner's status at the facilities.

The PAQ indicates all volunteers and contractors who have contact with residents receive the same PREA training as all employees. The auditor reviewed the Employee/Volunteer/Contractor Acknowledgement and Notification of Prison Rape Elimination ACT (PREA) and observed volunteers and contractors received the training mandated for employees under PREA Standard § 115.331.

**115.332 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency maintains documentation confirming that volunteers and contractors understand the training they have received.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 11, section I.6, states all DCS/Agency employees, volunteers and contractors are required to sign form CS-0940, Employee Acknowledgement and Notification of Prison Rape Elimination Act (PREA) to acknowledge they have read the DCS zero-tolerance policy and understand the training they have received.

The auditor reviewed the Employee/Volunteer/Contractor Acknowledgement and Notification of Prison Rape Elimination ACT (PREA) and observed volunteers and contractors initial and sign the acknowledgement to document they understand the training they have received.

**Conclusion:** Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding volunteer and contractor training. No corrective action is required.

115.333	<b>Resident education</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 1.1 Providing Equal Access to Programs, Services, and Activities for Individuals with Disabilities under the Americans with Disabilities Act (ADA) dated February 26, 2018</li> <li>2. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.4 Intake and Orientation at a Youth Development Center dated May 7, 2024</li> <li>3. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.12 DOE Services for Identified Youth Needs dated February 26, 2018</li> <li>4. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>5. Tennessee Department of Children’s Services Protocol: Orientation at a Youth Development Center dated September 2018</li> <li>6. Tennessee Department of Children’s Services What You Should Know About Sexual Abuse and Sexual Harassment Brochure (English and Spanish)</li> <li>7. Tennessee Department of Children’s Services Youth Acknowledgement and Notification of Prison Rape Elimination Act (PREA) dated August 2013</li> <li>8. Tennessee Department of Children’s Services Orientation Checklist for Youth in a Youth Development Center dated June 2024</li> <li>9. Tennessee Department of Children’s Services Youth Handbook Acknowledgment Form dated October 2015</li> <li>10. Memorandum Regarding Equal Opportunity for Disabled Residents (PREA) dated May 24, 2024</li> <li>11. Interpreter Contract with Uwork.com, Inc. dated March 1, 2022</li> <li>12. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Documents (Corrective Action):</b></p> <ol style="list-style-type: none"> <li>1. PREA Resource Center Juvenile Intake Video (English, Spanish, Closed Captioned, and ASL) dated May 7, 2024</li> <li>2. PREA Resource Center Juvenile Comprehensive Education Video (English, Spanish, Closed Captioned, and ASL) dated May 7, 2024</li> <li>3. Tennessee Department of Children’s Services Youth Handbook dated April 2024 (English and Spanish)</li> <li>4. No Means No Poster dated May 30, 2024 (English and Spanish)</li> <li>5. New Signage Posted dated May 30, 2024</li> </ol>

**Site Review Observations:**

Observations during on-site review of physical plant

**Findings (By Provision):**

**115.333 (a)** Wilder Youth Development Center Pre-Audit Questionnaire response: Residents receive information at time of intake about the zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment. This information is provided in an age-appropriate fashion.

Of residents admitted during the past 12 months, the number who were given this information at intake: 120

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, pages 3-4, section C.1-3, states during the intake process, children/youth receive information explaining, in an age-appropriate fashion, the YDC/Agency's zero tolerance policy regarding sexual abuse/harassment and how to report incidents or suspicions of sexual abuse or sexual harassment.

Written and verbal information on PREA is provided and explained to children/youth within forty-eight (48) hours of arrival at a YDC/Agency and includes, but is not limited to:

- DCS' zero-tolerance policy regarding PREA;
- Prevention/Intervention;
- Self-protection and how to avoid risk situations;
- Consequences for engaging in any type of sexual activity while at the facility;
- How to safely report sexual abuse
- How to obtain medical and mental health treatment and counseling

PREA information is covered in the Youth Handbook in a YDC or contract agencies.

The auditor observed residents sign the following acknowledgements during the intake process: Tennessee Department of Children's Services Youth Acknowledgement and Notification of Prison Rape Elimination Act (PREA) dated August 2013; Tennessee Department of Children's Services Orientation Checklist for Youth in a Youth Development Center dated June 2024; and Tennessee Department of Children's Services Youth Handbook Acknowledgment Form dated October 2015. The handbook and brochure include information about the agency's zero tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. The auditor reviewed the brochure and handbook and determined they are inclusive of the information required during the intake process. The auditor observed intake. The intake staff (Chaplain) provided information about the agency's zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment through the pamphlet, handbook, and the PREA Resource Center Juvenile Intake Video (English, Spanish, Closed Captioned, and ASL) implemented through corrective action, May 7, 2024.

The auditor reviewed acknowledgment forms to verify residents have been provided the PREA information at intake. For all 10 residents interviewed the

acknowledgment forms were completed during intake.

The auditor reviewed historical documentation for the 12-month audit period and observed the acknowledgement forms were completed during intake.

**115.333 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: Of residents admitted during the past 12 months, the number who received such education within 10 days of intake: 120

The Chaplain confirmed the agency ensures that residents are educated regarding their rights to be free from sexual abuse and sexual harassment, and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents. He demonstrated showing the PREA Resource Center Juvenile Comprehensive Education Video (English, Spanish, Closed Captioned, and ASL) implemented May 7, 2024.

Residents interviewed confirmed they were told about their right not to be sexually abused and sexually harassed, how to report sexual abuse or sexual harassment, and their right not to be punished for reporting sexual abuse or sexual harassment. They stated they received PREA education upon admission to the facility, during intake.

The auditor reviewed the documentation for 10 residents interviewed and 12 residents for the past 12 months and observed the residents received PREA education.

**115.333 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: All residents were educated within 10 days of intake.

The Chaplain stated all residents, including those transferred from other facilities, are educated on the agency's zero-tolerance policy on sexual abuse and sexual harassment.

**115.333 (d)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency shall provide resident education in formats accessible to all residents, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to residents who have limited reading skills.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 4, section C.4, states appropriate provisions are made as necessary for children/youth who are limited English proficient, have disabilities (including those who are deaf or hard of hearing, those who are blind or have low vision), and those with low intellectual, psychiatric, or speech disabilities. The YDC/Agency does not rely on child/youth interpreters except in urgent circumstances where safety may be compromised.

The auditor observed the Tennessee Department of Children's Services What You Should Know About Sexual Abuse and Sexual Harassment Brochure; Tennessee

Department of Children's Services Youth Handbook dated April 2024; and the No Means No Poster dated May 30, 2024, are available in English and Spanish. The PREA Resource Center Juvenile Intake Video implemented May 7, 2024, and the PREA Resource Center Juvenile Comprehensive Education Video implemented May 7, 2024, are available in English, Spanish, Closed Captioned, and ASL. Interpreter services are available through Linguistica International. The agency provided a memorandum regarding equal opportunity for disabled residents dated May 24, 2024. memorandum details the agency's efforts to provide services to residents. The facility receives background information, prior to admission, on residents identified as having possible disabilities. The information received prior to placement includes, but is not limited to: medical records, mental health diagnosis, developmental standards, special education needs and youth primary language. During the review process, staff take note of the conditions of the youth and plan accordingly.

When youth arrive on campus, they meet with the PREA Compliance Manager and their clinical representative to receive PREA education and take the appropriate assessments. For youth with identified learning disabilities the PREA information is reviewed with the PREA Compliance Manager and the Special Education Teacher to ensure that any developmental concerns are addressed. This may include modifying or adapting information for the resident to better understand. Youth who have low eyesight or other vision impairments may have the PREA information read to them. Youth who are deaf or hard of hearing can receive support services through the interpreter contract "where the CA will type in a format similar to American Sign Language and translate the typed message into conversational English." All youth receive PREA information in several formats and ways to include the youth handbook, PREA Brochures, PREA educational videos, and conversations with the treatment team, to ensure that that youth have a full understanding of their rights to be free from sexual abuse, harassment, and retaliation. If a youth cannot read, the staff person reads the material to the youth and then explains and makes sure he understands before signing intake documents. During the classification period, information is reviewed, and an individual program plan (IPP) is developed with the youth and family. The youth's treatment team puts into place a specialized treatment plan that includes wrap around services.

During the onsite phase of the audit, there were two residents who were interviewed who had a cognitive or functional disability and one resident was interviewed who was identified as having low vision. The residents stated they did not require assistance with understanding the PREA information. No residents were identified as limited English proficient.

**115.333 (e)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency maintains documentation of resident participation in PREA education sessions.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7,

	<p>2024, page 4, section C.5, states all YDC/Agency children/youth are required to sign DCS form CS-0939, Youth Acknowledgement and Notification of Prison Rape Elimination Act (PREA) to acknowledge they have been notified and informed of PREA and on how to report incidents of sexual abuse.</p> <p>a) Copies of the signed form is sent to the child/youth's parent(s)/legal custodian, family service worker, and</p> <p>b) The original signed form is maintained in the child/youth's case file and is uploaded into TFACTS.</p> <p>The auditor reviewed the documentation for 10 residents interviewed and 12 residents for the past 12 months and observed the facility maintains documentation of resident participation in PREA education sessions. Documents reviewed included the Tennessee Department of Children's Services Youth Acknowledgement and Notification of Prison Rape Elimination Act (PREA) dated August 2013, the Tennessee Department of Children's Services Orientation Checklist for Youth in a Youth Development Center dated June 2024, and the Tennessee Department of Children's Services Youth Handbook Acknowledgment Form dated October 2015.</p> <p><b>115.333 (f)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency ensures that key information about the agency's PREA policies is continuously and readily available or visible through posters, resident handbooks, or other written formats.</p> <p>The pamphlet and posters contain information about PREA, including how to report sexual abuse and sexual harassment. Through corrective action, the facility developed and posted the No Means No Poster in, English and Spanish, May 30, 2024. The auditor observed the posters are readable, accessible, consistent, accurate and placed throughout the facility, including the living units, intake, medical, dining hall, and school.</p> <p><b>Conclusion and Corrective Action:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding resident education. Corrective action is complete.</p> <p><b>115.333 (a)</b> The PREA Resource Center Juvenile Intake Video (English, Spanish, Closed Captioned, and ASL) was implemented May 7, 2024.</p> <p><b>115.333 (b)</b> The PREA Resource Center Juvenile Comprehensive Education Video (English, Spanish, Closed Captioned, and ASL) was implemented May 7, 2024.</p> <p><b>115.333 (f)</b> The facility developed and posted the No Means No Poster (English and Spanish) May 30, 2024.</p>
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<b>115.334</b>	<b>Specialized training: Investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard

## Auditor Discussion

### The following evidence was analyzed in making the compliance determination:

#### Documents:

1. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024
2. PREA Investigator Training Edison Completion Log
3. National Institute of Corrections' Prison Rape Elimination Act (PREA) Investigating Sexual Abuse in a Confinement Setting Course Certificates
4. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)

#### Interview:

Investigative Staff

#### Findings (By Provision):

**115.334 (a)** Wilder Youth Development Center Pre-Audit Questionnaire response: Agency policy requires that investigators are trained in conducting sexual abuse investigations in confinement settings.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 11, section I.4, states employees who conduct investigations of allegations of sexual abuse/harassment on children/youth in YDC/agencies care receive training in compliance with PREA Standards.

The auditor reviewed annual training required by § 115.331 and National Institute of Corrections' Prison Rape Elimination Act (PREA) Investigating Sexual Abuse in a Confinement Setting Course Certificates. The training was completed by 21 investigators.

The Tennessee Department of Children's Services investigator interviewed confirmed he received training specific to conducting sexual abuse and sexual harassment investigations in confinement settings. He stated he received the training required by §115.331 and completed the specialized training topics.

**115.334 (b)** Specialized training includes techniques for interviewing juvenile sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.

The Tennessee Department of Children's Services investigator confirmed he has received the required training.

**115.334 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response:

	<p>The agency maintains documentation showing that investigators have completed the required training. The number of investigators currently employed who have completed the required training: 42</p> <p>The auditor reviewed annual training required by § 115.331 and National Institute of Corrections' Prison Rape Elimination Act (PREA) Investigating Sexual Abuse in a Confinement Setting Course Certificates. The training was completed by 21 investigators.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding specialized training for investigations. No corrective action is required.</p>
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115.335	Specialized training: Medical and mental health care
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. Training PowerPoint</li> <li>3. Required Training Chart for Department of Children's Services Staff dated February 2022</li> <li>4. Tennessee Department of Children's Services Volunteer Service Procedures dated April 2024</li> <li>5. Employee/Volunteer/Contractor Acknowledgement and Notification of Prison Rape Elimination ACT (PREA)</li> <li>6. Medical and Mental Health Staff Lists</li> <li>7. Medical and mental Health Staff Training Spreadsheet</li> <li>8. National Institute of Corrections' PREA 201 for Medical and Mental Health Practitioners Course Certificates</li> <li>9. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Interviews:</b></p> <ol style="list-style-type: none"> <li>1. Medical Staff and Mental Health Staff</li> </ol> <p><b>Findings (By Provision):</b></p> <p><b>115.335 (a)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency has a policy related to the training of medical and mental health practitioners who work regularly in its facilities.</p>

1. The number of all medical and mental health care practitioners who work regularly at this facility who received the training: 13
2. The percent of all medical and mental health care practitioners who work regularly at this facility who received the training required by agency policy: 100%

Medical and mental health staff interviewed confirmed they received the specialized training topics regarding sexual abuse and sexual harassment. The auditor reviewed 13 National Institute of Corrections' PREA 201 for Medical and Mental Health Practitioners Course Certificates and observed receipt of the training. The specialized training was completed in 2024.

**115.335 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: Wilder Youth Development Center does not employ medical staff that conduct forensic exams. Forensic medical examinations are performed offsite.

Medical and mental health staff interviewed stated forensic medical examinations are not conducted at the facility. Forensic examinations would be conducted at Le Bonheur Children's Hospital the Shelby County Rape Crisis Center.

**115.335 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency maintains documentation showing that medical and mental health practitioners have completed the required training.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 11, section I.6-7, states all DCS/Agency employees, volunteers and contractors are required to sign form CS-0940, Employee Acknowledgement and Notification of Prison Rape Elimination Act (PREA) to acknowledge they have read the DCS zero-tolerance policy and understand the training they have received.

DCS/agencies maintain documentation on all employees, volunteers and contractors who receive training on PREA.

The auditor reviewed National Institute of Corrections' PREA 201 for Medical and Mental Health Practitioners Course Certificates and observed receipt of training is documented.

**115.335 (d)** Medical and mental health care practitioners shall also receive the training mandated for employees under § 115.331 or for contractors and volunteers under § 115.332, depending upon the practitioner's status at the agency.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 11, section I.3.d, states medical and mental health care practitioners also receive the training mandated for employees under PREA Standards § 115.331 or for contractors and volunteers under PREA Standards § 115.332, depending upon the practitioner's status at the facilities.

	<p>The PAQ indicates all contractors who have contact with residents receive the same PREA training as all employees. The auditor reviewed the Employee/Volunteer/ Contractor Acknowledgement and Notification of Prison Rape Elimination ACT (PREA) and observed medical and mental health staff received the training mandated for employees under PREA Standard § 115.331.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding specialized training for medical and mental health care. No corrective action is required.</p>
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115.341	Obtaining information from residents
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. Tennessee Department of Children’s Services Prison Rape Elimination Act (PREA) Risk Assessment dated November 2023</li> <li>3. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Documents (Corrective Action):</b></p> <ol style="list-style-type: none"> <li>1. Memorandum Regarding Completing 90 Day Risk Reassessments dated June 12, 2024</li> <li>2. Memorandum Regarding PREA Risk Assessment to Include Intersex Criteria dated May 29, 2024</li> <li>3. Tracker for Safe Housing Re-assessments</li> <li>4. Safe Housing Re-Assessments for April 2024 to July 2024</li> </ol> <p><b>Interviews:</b></p> <ol style="list-style-type: none"> <li>1. PREA Coordinator</li> <li>2. PREA Compliance Manager</li> <li>3. Staff Responsible for Risk Screening</li> <li>4. Random Sample of Residents</li> </ol> <p><b>Findings (By Provision):</b></p> <p><b>115.341 (a)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency has a policy that requires screening (upon admission to a facility or transfer to another facility) for risk of sexual abuse victimization or sexual</p>

abusiveness toward other residents.

The policy requires that residents be screened for risk of sexual victimization or risk of sexually abusing other residents within 72 hours of their intake.

In the past 12 months:

1. The number of residents entering the facility (either through intake or transfer) whose length of stay in the facility was for 72 hours or more who were screened for risk of sexual victimization or risk of sexually abusing other residents within 72 hours of their entry into the facility: 124

2. The percent of residents entering the facility (either through intake or transfer) whose length of stay in the facility was for 72 hours or more who were screened for risk of sexual victimization or risk of sexually abusing other residents within 72 hours of their entry into the facility: 100%

The policy requires that a resident's risk level be reassessed periodically throughout their confinement.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 2, section B.1-3, states during the intake process, DCS form CS-0946, Prison Rape Elimination Act (PREA) Risk Assessment is administered to all children/youth within seventy-two (72) hours of admission to a YDC/Agency.

Once the risk assessment is completed, DCS form CS-1236, Safe Housing Assessment, is used to determine the appropriate housing assignment for the child/youth placed in a congregate care setting.

DCS form CS-1237, Safe Housing Re-Assessment, is completed for children/youth in a congregate care setting at the following time intervals:

- Every ninety (90) days while in the congregate care setting;
- Within two (2) days of any occurrence that would require a room assignment change; and
- At least seven (7) days prior to a transfer to another congregate care setting.

The auditor reviewed 10 completed risk assessments for the 24 completed risk assessments 12-month audit period and for residents interviewed. All 34 risk assessments were completed within 72 hours of intake. The auditor reviewed risk reassessments and determined they were not occurring at 90-day intervals.

Through corrective action, the agency provided a memorandum regarding completing 90-day risk reassessments dated June 12, 2024, a Tracker for Safe Housing Re-assessments, and completed examples for April 2024 through July 2024.

The Staff Responsible for Risk Screening (Chaplain) demonstrated the screening process. The screening process occurs in a private office, ensuring as much privacy as possible. He confirmed he screens residents upon admission to the facility or transfer from another facility for risk of sexual abuse victimization or sexual abusiveness toward other residents. He stated he screens residents for risk of

sexual victimization or risk of sexually abusing other residents within 72 hours of their intake. The information is ascertained through conversations with residents during intake, medical and mental health screenings, and reviewing any relevant documentation available in the Tennessee Family & Child Tracking System (TFACTS).

Ten residents were interviewed. They confirmed they were asked questions like the following examples at intake:

1. Have you have ever been sexually abused?
2. Do you identify with being gay, bisexual, or transgender?
3. Do you have any disabilities?
4. Do you think you might be in danger of sexual abuse at the facility?

**115.341 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: Risk assessment is conducted using an objective screening instrument.

The auditor observed the objective screening instrument and examples for residents interviewed and for the 12 month audit period.

**115.341 (c)** At a minimum, the agency shall attempt to ascertain information about:

- a. Prior sexual victimization or abusiveness;
- b. Any gender nonconforming appearance or manner or identification as lesbian, gay, bisexual, transgender, or intersex, and whether the resident may therefore be vulnerable to sexual abuse;
- c. Current charges and offense history;
- d. Age;
- e. Level of emotional and cognitive development;
- f. Physical size and stature;
- g. Mental illness or mental disabilities;
- h. Intellectual or developmental disabilities;
- i. Physical disabilities;
- j. The resident's own perception of vulnerability; and
- k. Any other specific information about individual residents that may indicate heightened needs for supervision, additional safety precautions, or separation from certain other residents.

The auditor reviewed the Tennessee Department of Children's Services Prison Rape Elimination Act (PREA) Risk Assessment dated November 2023 and found it to be inclusive of the required information. Through corrective action, the risk assessment tool was updated in November 2023 to include identification as intersex.

**115.341 (d)** This information shall be ascertained through conversations with the resident during the intake process and medical and mental health screenings; during classification assessments; and by reviewing court records, and other relevant documentation from the resident's files.

The interview with the Chaplain confirmed the information is ascertained through conversations with the residents using the Tennessee Department of Children's Services Prison Rape Elimination Act (PREA) Risk Assessment. Other assessments

	<p>and records are referred to as needed.</p> <p><b>115.341 (e)</b> The PREA Coordinator, PREA Compliance Manager, and Clinical Director confirmed the agency has outlined who can have access to a resident's risk assessment within the facility, to protect sensitive information from exploitation. The information is securely maintained electronically, password protected, and is available to staff based on access level. The chaplain, case management staff, therapists, the treatment supervisor, the PREA Compliance Manager, and the Director would have access to the information.</p> <p><b>Conclusion and Corrective Action:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility fully meets this standard regarding screening for risk of victimization and abusiveness. Corrective action is complete.</p> <p><b>115.341 (a)</b> Risk reassessments were not occurring at 90-day intervals. The agency provided a memorandum regarding completing 90-day risk reassessments dated June 12, 2024, a Tracker for Safe Housing Re-assessments, and completed examples for April 2024 through July 2024.</p> <p><b>115.341 (c)</b> Tennessee Department of Children's Services Prison Rape Elimination Act (PREA) Risk Assessment was updated in November 2023 to include identification as intersex.</p>
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<b>115.342</b>	<b>Placement of residents</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.1 Safety Planning for Youth in a Youth Development Center dated October 29, 2018</li> <li>2. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>3. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 20.20 Guidelines for Managing Children/Youth in DCS Custody Related to Sexual Orientation, Gender Identity and Expression dated January 30, 2015</li> <li>4. Tennessee Department of Children's Services Prison Rape Elimination Act (PREA) Risk Assessment dated November 2023</li> <li>5. Tennessee Department of Children's Services Safe Housing Assessment dated April 2020</li> </ol>

6. Memorandum Regarding Utilization of Risk Screening dated June 12, 2024
7. Tennessee Department of Children's Services YDC Safety Plan for Youth
8. Email Correspondence Regarding Risk Level
9. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)

**Interviews:**

1. Superintendent or Designee (Director)
2. PREA Coordinator
3. PREA Compliance Manager
4. Staff Responsible for Risk Screening
5. Staff who Supervise Residents in Isolation (N/A)
6. Medical Staff
7. Mental Health Staff
8. Residents in Isolation (for risk of sexual victimization/who allege to have suffered sexual abuse) - no isolation
9. Transgendered/Intersex/Gay/Lesbian/Bisexual Residents

**Site Review Observations:**

Observations during on-site review of physical plant

**Findings (By Provision):**

**115.342 (a)** Wilder Youth Development Center Pre-Audit Questionnaire response:

The agency/facility uses information from the risk screening required by §115.341 to inform housing, bed, work, education, and program assignments with the goal of keeping all residents safe and free from sexual abuse.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 2, section B.1-2, states during the intake process, DCS form CS-0946, Prison Rape Elimination Act (PREA) Risk Assessment is administered to all children/youth within seventy-two (72) hours of admission to a YDC/Agency.

Once the risk assessment is completed, DCS form CS-1236, Safe Housing Assessment, is used to determine the appropriate housing assignment for the child/youth placed in a congregate care setting.

The Staff Responsible for Risk Screening (Chaplain) discussed how the facility uses information from risk screening during intake to keep residents safe and free from sexual abuse. The score from the risk assessment is used to complete the Safe Housing Assessment and inform dorm and room assignment.

The PREA Coordinator provided a memorandum regarding utilization of risk screening dated June 12, 2024. The memorandum described how the information from the Tennessee Department of Children's Services Prison Rape Elimination Act (PREA) Risk Assessment is used to inform housing, bed, work, education, and program assignments. If a resident were to score high for being vulnerable to sexual victimization, or high for being sexually aggressive, the Chaplain sends an email to

team members notifying them of the risk level. The Case manager Supervisor would initiate a safety plan that would address the standard provision requirements.

Furthermore, all residents are placed in single occupancy rooms, in living units separated by age. Residents who have a high-risk level are placed in rooms identified as “high risk”. The safety plan would also include any precautions or accommodations that would apply to the school setting. Clinical staff would be informed of the risk level and make any adjustments needed to programming assignments.

The auditor reviewed an email generated based on risk level and the resulting safety plan. The safety plan fully addresses the standard provision requirements.

The auditor reviewed 34 Safe Housing Assessments for the residents interviewed and for the 12-month audit period. The auditor observed the assessments designate a resident’s risk level and housing placement recommendation.

**115.342 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response:

The facility has a policy that residents at risk of sexual victimization may only be placed in isolation as a last resort if less restrictive measures are inadequate to keep them and other residents safe, and only until an alternative means of keeping all residents safe can be arranged. The facility policy requires that residents at risk of sexual victimization who are placed in isolation have access to legally required educational programming, special education services, and daily large-muscle exercise.

In the past 12 months:

1. The number of residents at risk of sexual victimization who were placed in isolation: 0
2. The number of residents at risk of sexual victimization who were placed in isolation who have been denied daily access to large muscle exercise, and/or legally required education, or special education services: 0
3. The average period of time residents at risk of sexual victimization who were held in isolation to protect them from sexual victimization: N/A

The Director confirmed Wilder Youth Development Center does not use isolation for residents at risk of sexual victimization.

**115.342 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response:

The facility prohibits placing lesbian, gay, bisexual, transgender, or intersex residents in particular housing, bed, or other assignments solely on the basis of such identification or status. The facility prohibits considering lesbian, gay, bisexual, transgender, or intersex identification or status as an indicator of likelihood of being sexually abusive.

State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 20.20 Guidelines for Managing Children/Youth in DCS Custody Related to Sexual Orientation, Gender Identity and Expression dated January 30, 2015, page 2, section B.1, states DCS will use all pertinent information gathered during the assessment process and subsequently, including the child/youth's stated preference

to make housing, bed, program, education and work assignments for youth with the goal of keeping all residents safe and free from sexual abuse, physical abuse, psychological harm and harassment, and whether the placement would present management or security problems.

No residents identified as gay, bisexual, transgender, or intersex during the onsite phase of the audit.

Site review: The auditor observed the housing units. There was no particular housing, bed, or other assignments of gay, bisexual, transgender, or intersex residents solely on the basis of such identification or status.

**115.342 (d)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency or facility makes housing and program assignments for transgender or intersex residents in the facility on a case-by-case basis.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 20.20 Guidelines for Managing Children/Youth in DCS Custody Related to Sexual Orientation, Gender Identity and Expression dated January 30, 2015, page 2, section B.3, states transgender youth shall not automatically be placed according to their birth sex. DCS, contract providers (as applicable) and other professionals working with the youth will discuss the placement needs in an internal discussion to determine what placement is the best interest placement based on the needs of the youth and available placement options. The most appropriate placement should be based on the child/youth's gender identity taking into consideration any management or security barriers associated with the proposed placement. Each placement shall be made on an individualized basis to best meet the needs of the child/youth.

The PREA Coordinator confirmed housing and programming assignments for transgender or intersex residents are made on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether the placement would present management or security problems.

**115.342 (e)** Wilder Youth Development Center Pre-Audit Questionnaire response: Placement and programming assignments for each transgender or intersex resident shall be reassessed at least twice each year to review any threats to safety experienced by the resident.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 20.20 Guidelines for Managing Children/Youth in DCS Custody Related to Sexual Orientation, Gender Identity and Expression dated January 30, 2015, page 2, section B.6, states placement and programming assignments for transgender or intersex child/youth will be reassessed at least twice each year to review any threats to safety experienced by the child/youth and appropriateness of services.

The PREA Coordinator and Chaplain confirmed placement and programming assignments are reassessed at least twice each year to review any threats to safety experienced by the resident.

**115.342 (f)** Wilder Youth Development Center Pre-Audit Questionnaire response: A transgender or intersex resident's own views with respect to his or her own safety shall be given serious consideration.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 20.20 Guidelines for Managing Children/Youth in DCS Custody Related to Sexual Orientation, Gender Identity and Expression dated January 30, 2015, page 2, section B.2, states with respect to his or her own safety, a LGBTI child/youth's own views will be given serious consideration

The PREA Coordinator confirmed the agency considers whether placement will ensure a resident's health and safety and stated transgender or intersex residents' views of their safety are given serious consideration in placement and programming assignments.

**115.342 (g)** Wilder Youth Development Center Pre-Audit Questionnaire response: Transgender and intersex residents shall be given the opportunity to shower separately from other residents.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 20.20 Guidelines for Managing Children/Youth in DCS Custody Related to Sexual Orientation, Gender Identity and Expression dated January 30, 2015, page 2, section B.5, states transgender youth must be given the opportunity to shower separately from other youth and they must be provided safety and privacy when dressing and undressing and using the bathroom.

The PREA Coordinator confirmed transgender and intersex residents are given the opportunity to shower separately from other residents. All residents shower individually.

No residents identified as transgender or intersex during the onsite phase of the audit.

**Site Review:** The auditor observed residents shower behind the privacy of a shower curtain, in a shower stall. Transgender or intersex residents would be given the opportunity to shower separately and during showers all other residents are secured in their rooms.

**115.342 (h)** Wilder Youth Development Center Pre-Audit Questionnaire response: From a review of case files of residents at risk of sexual victimization who were held in isolation in the past 12 months, the number of case files that include BOTH:  
1. A statement of the basis for facility's concern for the resident's safety, and  
2. The reason or reasons why alternative means of separation cannot be arranged:  
N/A

No residents at risk of sexual victimization were held in isolation in the past 12 months. Wilder Youth Development Center does not use isolation for residents at risk of sexual victimization.

**115.342 (i)** Wilder Youth Development Center Pre-Audit Questionnaire response: If

	<p>a resident at risk of sexual victimization is held in isolation, the facility affords each such resident a review every 30 days to determine whether there is a continuing need for separation from the general population.</p> <p>No residents at risk of sexual victimization were held in isolation in the past 12 months. Wilder Youth Development Center does not use isolation for residents at risk of sexual victimization.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding use of screening information. No corrective action is required.</p>
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<b>115.351</b>	<b>Resident reporting</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 24.5 DOE Youth Grievance Procedures dated June 15, 2008</li> <li>3. Tennessee Department of Children’s Services What You Should Know About Sexual Abuse and Sexual Harassment Brochure (English and Spanish)</li> <li>4. PREA Pocket Guide</li> <li>5. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Documents (Corrective Action):</b></p> <ol style="list-style-type: none"> <li>1. Tennessee Department of Children’s Services Youth Handbook dated April 2024 (English and Spanish)</li> <li>2. No Means No Poster dated May 30, 2024 (English and Spanish)</li> <li>3. New Signage Posted dated May 30, 2024</li> </ol> <p><b>Interviews:</b></p> <ol style="list-style-type: none"> <li>1. PREA Compliance Manager</li> <li>2. Random Sample of Staff</li> <li>3. Random Sample of Residents</li> <li>4. Residents who Reported a Sexual Abuse</li> </ol> <p><b>Site Review Observations:</b></p> <p>Observations during on-site review of physical plant</p>

**Findings (By Provision):**

**115.351 (a)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency has established procedures allowing for multiple internal ways for residents to report privately to agency officials about: Sexual abuse or sexual harassment; Retaliation by other residents or staff for reporting sexual abuse and sexual harassment; AND Staff neglect or violation of responsibilities that may have contributed to such incidents.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 3, section C.2, states written and verbal information on PREA is provided and explained to children/youth within forty-eight (48) hours of arrival at a YDC/ Agency and includes, but is not limited to how to safely report sexual abuse such as:

- Reporting the abuse incident directly to DCS Child Abuse Hotline at: 1-877 237-0004.
- Reporting the abuse incident to YDC/Agency personnel (e.g., Superintendent, Director, nurse, line staff, therapist, security personnel, teacher, or physician).
- Filing a formal grievance as outlined in DCS policy 24.5-DOE Youth Grievance Procedures for youth in a YDC or as outlined in the Contract Provider Manual for children/youth in contract agency facilities.
- Reporting the abuse incident to their John L. Attorney or Guardian ad Litem.

Staff interviews confirmed residents can privately report sexual abuse or sexual harassment, retaliation by other residents or staff for reporting sexual abuse and sexual harassment, or staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment by calling the hotline. Residents stated they would report sexual abuse or sexual harassment that happened to them or someone else by telling staff, calling the hotline, or writing a grievance.

The auditor reviewed the Tennessee Department of Children's Services What You Should Know About Sexual Abuse and Sexual Harassment Brochure and the Tennessee Department of Children's Services Youth Handbook dated April 2024. The auditor observed the brochure and handbook include information about PREA, including how to report sexual abuse and sexual harassment, as well as the Tennessee Child Abuse Hotline number, 1-877-237-0004.

The auditor tested internal reporting by submitting a test grievance in a locked grievance box located in one of the living units. The auditor received an emailed response 1 day after submitting the test grievance.

**115.351 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency provides at least one way for residents to report abuse or harassment to a public or private entity or office that is not part of the agency. The facility does not detain youth solely for civil immigration purposes.

Through corrective action, the facility developed and implemented a method for residents to report abuse or harassment to a public or private entity or office that is

not part of the agency and that is able to receive and immediately forward resident reports of sexual abuse and sexual harassment to agency officials, allowing the resident to remain anonymous upon request. Residents are permitted to submit a grievance in a pre-addressed envelope to the Shelby County Rape Crisis Center. The grievance would be mailed to the Center and residents do not have to include their name in the envelope if they wish to remain anonymous to facility staff and administrators.

The facility updated the Tennessee Department of Children's Services Youth Handbook April 2024 to include the anonymous reporting procedures to the Shelby County Rape Crisis Center. Additionally, the facility developed the No Means No Poster dated May 30, 2024. The posters also include the anonymous reporting procedures.

The auditor tested external reporting by calling the Tennessee Child Abuse Hotline and the Shelby County Rape Crisis Center. Test report was forwarded to the agency PREA Coordinator the same day. Shelby County Rape Crisis Center hotline staff follow state mandatory reporting laws and are therefore required to report all sexual abuse and sexual harassment allegations to the Tennessee Child Abuse Hotline operated by the Tennessee Department of Children's Services.

The auditor observed the handbook, brochure, and posters are available in English and Spanish. The auditor observed the posters are readable, accessible, consistent, accurate and placed throughout the facility, including the living units, intake, medical, dining hall, and school.

**115.351 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency has a policy mandating that staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties. Staff are required to document verbal reports. The time frame that staff are required to document verbal reports: immediately

DCS Policy 20.20: Guidelines for Managing Children/Youth in DCS Custody Related to Sexual Orientation, Gender Identity and Expression, page 4, section G.2-3 states reports may be in the form of verbal or written complaints of harassment or discrimination for themselves or another child/youth and can be made to any DCS employee, contract agency staff and volunteer or professional service provider. Any person who receives such a complaint must promptly, and in no case later than twenty-four (24) hours after receiving the complaint from the youth, report the complaint to a supervisor, agency director, Regional Administrator, or YDC Superintendent.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 4, section D.1, states Duty to Report - Tennessee Code Annotated 37-1-403 and 37-1-605 Pursuant to TCA 37-1-403 and 37-1-605, any person who has knowledge of or is called upon to render aid to any child/youth who is being sexually abused, sexually assaulted or sexually harassed has the duty to report such abuse.

Additionally, the PREA Pocket Guide indicates staff must accept reports made verbally, in writing, anonymously, and from third parties.

Staff confirmed resident allegations of sexual abuse or sexual harassment would be documented and reported immediately. Residents confirmed they are knowledgeable reports of sexual abuse or sexual harassment can be made either in person or in writing and they can remain anonymous.

**115.351 (d)** Wilder Youth Development Center Pre-Audit Questionnaire response: The facility provides residents with access to tools to make written reports of sexual abuse or sexual harassment, retaliation by other residents or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 24.5 DOE Youth Grievance Procedures dated June 15, 2008, pages 1-2, section C.2, states Youth Grievance Forms (Form CS-0072), locked grievance boxes, and copies of the youth grievance procedures shall be readily accessible to all youths. Grievances shall be filed by placing the completed Youth Grievance Form in any of the locked grievance boxes located throughout the institution.

The PREA Compliance Manager confirmed a writing utensil would be provided to residents to make written reports of sexual abuse and sexual harassment, retaliation by other residents or staff for reporting sexual abuse or sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. The auditor observed grievance boxes and forms available to the residents as well as preaddressed envelopes for reporting anonymously.

**115.351 (e)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency has established procedures for staff to privately report sexual abuse and sexual harassment of residents. Staff are informed of these procedures in the following ways: Written and Verbally

Staff confirmed they would privately report sexual abuse and sexual harassment of residents by calling the Tennessee Child Abuse Hotline at 1-877-237-0004.

**Conclusion and Corrective Action:** Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding resident reporting. Corrective action is complete.

**115.351 (b)** The facility developed and implemented a method for residents to report abuse or harassment to a public or private entity or office that is not part of the agency and that is able to receive and immediately forward resident reports of sexual abuse and sexual harassment to agency officials, allowing the resident to remain anonymous upon request. Residents are permitted to submit a grievance in a pre-addressed envelope to the Shelby County Rape Crisis Center. The grievance would be mailed to the Center and residents do not have to include their name in the envelope if they wish to remain anonymous to facility staff and administrators.

	<p>The facility updated the Tennessee Department of Children’s Services Youth Handbook April 2024 to include the anonymous reporting procedures to the Shelby County Rape Crisis Center.</p> <p>The facility developed the No Means No Poster dated May 30, 2024. The posters include the anonymous reporting procedures to the Shelby County Rape Crisis Center.</p>
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<b>115.352</b>	<b>Exhaustion of administrative remedies</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 24.5 DOE Youth Grievance Procedures dated June 15, 2008</li> <li>3. Tennessee Department of Children’s Services What You Should Know About Sexual Abuse and Sexual Harassment Brochure</li> <li>4. Tennessee Department of Children’s Services Youth Handbook dated April 2024</li> <li>5. Outside Victim Advocates for Emotional Support Services Poster</li> <li>6. No Means No Poster dated May 30, 2024</li> <li>7. Tennessee Department of Children’s Services Orientation Checklist for Youth in a Youth Development Center dated June 2024</li> <li>8. Tennessee Department of Children’s Services Youth Handbook Acknowledgment Form dated October 2015</li> <li>9. Tennessee Department of Children’s Services Youth Grievance Report dated September 2016</li> <li>10. Tennessee Department of Children’s Services Website</li> <li>11. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Interviews:</b></p> <p>Residents who Reported a Sexual Abuse</p> <p><b>Site Review Observations:</b></p> <p>Observations during on-site review of physical plant</p> <p><b>Findings (By Provision):</b></p> <p><b>115.352 (a)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency has an administrative procedure for dealing with resident grievances</p>

regarding sexual abuse.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 3, section C.2, states written and verbal information on PREA is provided and explained to children/youth within forty-eight (48) hours of arrival at a YDC/ Agency and includes, but is not limited to how to safely report sexual abuse such as:

- Filing a formal grievance as outlined in DCS policy 24.5-DOE Youth Grievance Procedures for youth in a YDC or as outlined in the Contract Provider Manual for children/youth in contract agency facilities.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 24.5 DOE Youth Grievance Procedures dated June 15, 2008, pages 1-2, section C.1-4, states 1. formal grievances shall be filed within one week (7 days) of the circumstances or action giving rise to the complaint. A complaint about a continuing practice or policy shall be filed within one week (7 days) of the most recent time the youth was affected.

2. Youth Grievance Forms (Form CS-0072), locked grievance boxes, and copies of the youth grievance procedures shall be readily accessible to all youths. Grievances shall be filed by placing the completed Youth Grievance Form in any of the locked grievance boxes located throughout the institution.

3. Staff will fully assist youth in obtaining and completing the Youth Grievance Form when help is requested by the youth.

4. Youth may withdraw a formal grievance at any time during the grievance process by requesting such action in writing. This written notice, along with the grievance, will remain on file with the grievance clerk.

The auditor reviewed the Tennessee Department of Children's Services Youth Handbook dated April 2024 and observed relevant information is provided. Handbooks are readable, accessible and they are available in English and Spanish. Each resident is given a handbook during intake. Residents sign the Orientation Checklist for Youth in a Youth Development Center and the Tennessee Department of Children's Services Youth Handbook Acknowledgment Form to document receipt of the information.

**115.352 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: Agency policy or procedure allows a resident to submit a grievance regarding an allegation of sexual abuse at any time regardless of when the incident is alleged to have occurred. Agency policy does not require a resident to use an informal grievance process, or otherwise to attempt to resolve with staff, an alleged incident of sexual abuse.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 3, section C.2, states submitting a grievance regarding an allegation of sexual abuse at any time regardless of when the incident is alleged to have

occurred.

The auditor reviewed the Youth Handbook and observed relevant information is provided. Residents are informed that grievances can be filed at any time.

**115.352 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency's policy and procedure allow a resident to submit a grievance alleging sexual abuse without submitting it to the staff member who is the subject of the complaint.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 3, section C.2, states when filing a grievance against staff, children/youth DO NOT have to submit the grievance to the staff member who is the subject of the complaint.

The auditor reviewed the Youth Handbook and verified relevant information is provided. Residents are informed they can submit a grievance in a locked grievance box.

**115.352 (d)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency has policy and procedures that require that a decision on the merits of any grievance or portion of a grievance alleging sexual abuse be made within 90 days of the filing of the grievance. The total time between the discovery of the grievance and the disposition cannot exceed 25 days.

In the past 12 months:

1. The number of grievances that were filed that alleged sexual abuse: 1
2. The number of grievances alleging sexual abuse that reached final decision within 90 days after being filed: 1
3. The number of grievances alleging sexual abuse that involved extensions because final decision was not reached within 90 days: 0

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 24.5 DOE Youth Grievance Procedures dated June 15, 2008, page 3, section G.2 and 7, states Grievance Committee hearings shall be held within five days, excluding weekends and holidays, of the time that the formal grievance was filed. The Chairperson shall, within 48 hours after the hearing, give the filing youth a Notice Grievance Disposition (Form CS-0160).

The auditor reviewed one Youth Grievance Report alleging staff sexual harassment/voyeurism.

**115.352 (e)** Wilder Youth Development Center Pre-Audit Questionnaire response: The number of the grievances alleging sexual abuse filed by residents in the past 12 months in which the resident declined third-party assistance, containing documentation of the resident's decision to decline: 0

If an abuse allegation is discovered, multiple policies require documentation of the

allegation and of the response to that allegation, including the youth's participation in the investigation.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 5, section D.2, states third parties are permitted to assist children/youth in filing a grievance relating to allegations of sexual abuse and to file such requests on behalf of the children/youth.

The auditor reviewed the agency website and the Outside Victim Advocates for Emotional Support Services Poster and observed reporters are informed that third parties are permitted to assist children/youth in filing a grievance relating to allegations of sexual abuse and to file such requests on behalf of the children/youth.

**115.352 (f)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency has a policy and established procedures for filing an emergency grievance alleging that a resident is subject to a substantial risk of imminent sexual abuse. Agency policy and procedures for emergency grievances alleging substantial risk of imminent sexual abuse require an initial response within 48 hours.

The number of emergency grievances alleging substantial risk of imminent sexual abuse that were filed in the past 12 months: 0

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 24.5 DOE Youth Grievance Procedures dated June 15, 2008, page 4, section J, states any grievance requiring immediate investigation and correction shall be considered an emergency grievance. Grievances concerning sexual and/or physical abuse by staff and/or other youth shall be referred immediately to the Superintendent or designee by any staff member aware of such complaint. After entry into the log, the Grievance Clerk will forward all emergency grievances directly to the Superintendent or designee, who will make a decision within two working days. The Superintendent's decision will be in writing and may be appealed.

**115.352 (g)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency has a written policy that limits its ability to discipline a resident for filing a grievance alleging sexual abuse to occasions where the agency demonstrates that the resident filed the grievance in bad faith.

In the past 12 months, the number of resident grievances alleging sexual abuse that resulted in disciplinary action by the agency against the resident for having filed the grievance in bad faith: 0

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 6, section D.16, states pursuant TCA 37-1-413, any person who either verbally or by written/printed communication reports false accusations of sexual

	<p>abuse commits a Class E felony. Refer to DCS Policy 14.6, Child Protective Services Case Tasks and Responsibilities, Section G, for additional information on falsely reporting child sexual abuse. A report made in good faith upon reasonable belief of the alleged incident does not constitute a false report and may not be used as grounds for disciplinary action.</p> <p>State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 24.5 DOE Youth Grievance Procedures dated June 15, 2008, page 5, section L, states repeated and clearly malicious false accusations of statements made by a youth or staff member relative to a grievance shall be subject to disciplinary action under the following circumstances:</p> <ol style="list-style-type: none"> <li>1. The repeated false accusation or statement was made in a knowing, deliberate, and malicious attempt to cause harm to another person.</li> <li>2. The potential for such harm is shown. The burden of proof in such a case shall rest with the person claiming that a false accusation or statement has been made.</li> <li>3. Any youth charged with the disciplinary offense of having made a repeated and clearly malicious false accusation shall be afforded a hearing before the Hearing Officer/Discipline Committee, whether the charges are true or untrue. If a charge(s) is determined to be true. If a charge(s) is determined to be true, any sanction issued shall be those established as minor sanctions.</li> </ol> <p>The auditor reviewed the Youth Handbook and verified relevant information is provided. Residents are informed of Tennessee Department of Children’s Services policy and the law regarding false reporting.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding exhaustion of administrative remedies. No corrective action is required.</p>
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<b>115.353</b>	<b>Resident access to outside confidential support services and legal representation</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 24.12 Access to Legal Counsel for Youth in a Youth Development Center dated October 29, 2018</li> </ol>

3. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 26.2 DOE Youth Development Center Visitation/Visitor Control dated March 1, 2016
4. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 26.3 DOE Telephone Privileges dated July 1, 2008
5. State of Tennessee Department of Children's Services Protocol for Youth Use in a Development Center (YDC) dated November 2018
6. PREA Outside Support Resources Outside Victim Advocates for Emotional Support Services dated May 2024
7. Tennessee Department of Children's Services What You Should Know About Sexual Abuse and Sexual Harassment Brochure
8. Tennessee Department of Children's Services Youth Handbook dated April 2024
9. Memorandum of Understanding Between the Tennessee Department of Children's Services and Shelby County Crime Victims and Rape Crisis Center dated May 9, 2024
10. Contract Between Tennessee Department of Children's Services and the Carl Perkins Center dated June 16, 2020
11. Contract Between Tennessee Department of Children's Services and the Memphis Child Advocacy Center dated July 1, 2020
12. Tennessee Department of Children's Services Request for Legal Consultation Form dated February 2014
13. Tennessee Department of Children's Services Parent Packet for Wilder Youth Development Center
14. Tennessee Department of Children's Services Youth Telephone Log dated September 2016
15. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)

**Documents (Corrective Action):**

1. No Means No Victim Support Services Poster dated June 14, 2024
2. New Signage Posted dated June 14, 2024

**Interviews:**

1. Superintendent of Designee (Director)
2. PREA Compliance Manager
3. Random Sample of Residents
4. Residents who Reported a Sexual Abuse

**Findings (By Provision):**

**115.353 (a)** Wilder Youth Development Center Pre-Audit Questionnaire response: The facility provides residents access to outside victim advocates for emotional support services related to sexual abuse by:

- Giving residents (by providing, posting, or otherwise making accessible) mailing addresses and telephone numbers (including toll-free hotline numbers where available) of local, State, or national victim advocacy or rape crisis organizations.
- Enabling reasonable communication between residents and these organizations, in as confidential a manner as possible.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 7, section E.7, states children/youth who are the victim of sexual abuse are provided prompt and appropriate medical treatment and counseling, to include is but not limited to: a) YDC/agency staff, as applicable, provides access to an outside victim advocate for emotional support services related to sexual abuse to child/youth with the forensic medical exam process and investigation interviews.

The auditor observed a telephone number and mailing address for the Shelby County Crime Victims and Rape Crisis Center is included on the PREA Outside Support Resources Outside Victim Advocates for Emotional Support Services dated May 2024, Tennessee Department of Children's Services What You Should Know About Sexual Abuse and Sexual Harassment Brochure, and the No Means No Victim Support Services Poster dated June 14, 2024, developed through corrective action.

Additionally, the auditor called the Shelby County Crime Victims and Rape Crisis Center from a facility telephone to confirm calls could be made.

Resident interviews revealed residents were knowledgeable of outside victim advocates for emotional support services related to sexual abuse if they ever need it.

**115.353 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: The facility informs residents, prior to giving them access to outside support services, the extent to which such communications will be monitored. The facility informs residents, prior to giving them access to outside support services, of the mandatory reporting rules governing privacy, confidentiality, and/or privilege that apply to disclosures of sexual abuse made to outside victim advocates, including any limits to confidentiality under relevant Federal, State, or local law.

The auditor reviewed the Tennessee Department of Children's Services Youth Handbook dated April 2024 and the No Means No Victim Support Services Poster dated June 14, 2024, and observed residents are informed about staff monitoring calls and mandatory reporting rules governing privacy, confidentiality, and/or privilege that apply to disclosures of sexual abuse made to outside victim advocates.

**115.353 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency or facility maintains memoranda of understanding (MOUs) or other agreements with community service providers that are able to provide residents with emotional support services related to sexual abuse. The agency or facility maintains copies of those agreements.

The auditor reviewed the Memorandum of Understanding Between the Tennessee Department of Children's Services and Shelby County Crime Victims and Rape Crisis Center dated May 9, 2024, to provide residents with emotional support services related to sexual abuse. The auditor contacted the Shelby County Crime Victims and Rape Crisis Center Director and confirmed victim advocacy is available to the youth

	<p>at the facility.</p> <p><b>115.353 (d)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The facility provides residents with reasonable and confidential access to their attorneys or other legal representation. The facility provides residents with reasonable access to parents or legal guardians.</p> <p>State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 24.12 Access to Legal Counsel for Youth in a Youth Development Center dated October 29, 2018, page 1, policy statement section, states the Youth Development Center (YDC) Superintendent/designee ensures that attorneys or their authorized representatives shall be granted confidential access to youth for the purpose of interviewing, consultation and providing confidential legal services to youth.</p> <p>The Director and PREA Compliance Manager confirmed the facility would provide residents with reasonable and confidential access to their attorneys or other legal representation and reasonable access to parents or legal guardians.</p> <p><b>Conclusion and Corrective Action:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding resident access to outside confidential support services and legal representation. Corrective action is complete.</p> <p><b>115.353 (b)</b> The facility developed the No Means No Victim Support Services Poster dated June 14, 2024. The poster informs residents about staff monitoring calls and mandatory reporting rules governing privacy, confidentiality, and/or privilege that apply to disclosures of sexual abuse made to outside victim advocates.</p>
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<b>115.354</b>	<b>Third-party reporting</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. No Means No Poster</li> <li>3. Tennessee Department of Children’s Services Parent Packet for Wilder Youth Development Center</li> <li>4. Tennessee Department of Children’s Services PREA Facts for Families and Public Partners Brochure</li> </ol>

	<p>5. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</p> <p><b>§115.354</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency or facility provides a method to receive third-party reports of resident sexual abuse or sexual harassment.</p> <p>The auditor reviewed the No Means No Poster and observed a telephone number and mailing address are provided to make third-party reports to the Tennessee Child Abuse Hotline. The poster is available in English and Spanish. The auditor observed posters were located throughout the facility, including in public areas of the facility that can be accessed by family members, friends, advocates, and attorneys. The auditor observed the posters are consistent, accessible, readable, and the information provided is accurate.</p> <p>The auditor reviewed the agency website and observed the following information for third-party reporting is provided, “Third parties are permitted to assist children/youth in filing a grievance relating to allegations of sexual abuse and to file such requests on behalf of the children/youth. Third parties include but are not limited to: fellow residents, staff members, family members, attorneys, and outside advocates. Third parties can report sexual abuse or sexual harassment directly to the DCS Child Abuse Hotline at: 1-877 237-0004.”</p> <p>The auditor reviewed the Tennessee Department of Children’s Services PREA Facts for Families and Public Partners Brochure and observed information for third-party reporting is provided. Reporters are instructed third-party reports can be made by reporting to facility staff, calling the Tennessee Child Abuse Hotline, or reporting online at <a href="https://apps.tn.gov/carat/">https://apps.tn.gov/carat/</a>. The brochure is available in English and Spanish.</p> <p>The auditor reviewed the Tennessee Department of Children’s Services Parent Packet for Wilder Youth Development Center and observed telephone numbers and mailing addresses are provided for Shelby County Crime Victims &amp; Rape Crisis Center, Carl Perkins Center, Memphis Child Advocacy Center of Memphis, Sexual Assault Center, and National Sexual Assault Hotline. The packet is available in English and Spanish.</p> <p>The auditor successfully tested third-party reporting by calling the Tennessee Child Abuse Hotline at 1-877-237-0004.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding third-party reporting. No corrective action is required.</p>
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<b>115.361</b>	<b>Staff and agency reporting duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard

## Auditor Discussion

**The following evidence was analyzed in making the compliance determination:**

### Documents:

1. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024
2. Tennessee Department of Children's Services Protocol for Child Abuse Referrals Against DCS Staff dated December 2023
3. Tennessee Child Abuse Hotline: <https://apps.tn.gov/carat/>
4. PREA Pocket Guide
5. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)

### Interviews:

1. Superintendent or Designee (Director)
2. PREA Compliance Manager
3. Random Sample of Staff
4. Medical and Mental Health Staff

### Findings (By Provision):

**115.361 (a)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency requires all staff to report immediately and according to agency policy:

1. Any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency.
2. Any retaliation against residents or staff who reported such an incident.
3. Any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 5, section D.4, states all YDC/Agency staff report immediately and according to policy any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a YDC/Agency facility, whether or not it is a part of the agency; retaliation against children/youth or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

Interviews with staff confirmed the requirement to report any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency; retaliation against residents or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

**115.361 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency requires all staff to comply with any applicable mandatory child abuse reporting laws.

Tennessee Department of Children's Services Protocol for Child Abuse Referrals Against DCS Staff dated December 2023, page 1, states all Tennessee citizens, including Department of Children's Services (DCS) staff, are mandated reporters. If a DCS employee receives a verbal/written report from any individual that another DCS employee committed an act of child abuse or neglect, that employee is required to immediately make a referral to the Hotline, where it will be assessed and screened. Staff are not to make presumptions about the validity of the referral prior to calling the Hotline.

Staff interviews confirmed staff are aware of Tennessee laws related to mandatory reporting of sexual abuse.

**115.361 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: Apart from reporting to designated supervisors or officials and designated State or local service agencies, agency policy prohibits staff from revealing any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 5, section D.5, states all YDC/agency staff shall be prohibited from revealing, other than to the extent necessary, any information related to a sexual abuse report to anyone, apart from reporting to designated supervisors and designated services agencies to make treatment, investigation and other security and management decisions.

Staff interviewed were knowledgeable that policy prohibits them from revealing any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions. They stated they would report to their supervisor and the Tennessee Child Abuse Hotline.

**115.361 (d)** The Lead Nurse and Program Coordinator both confirmed they disclose the limitations of confidentiality and their duty to report at the initiation of services to a resident. They both confirmed they are required to report any knowledge, suspicion or information regarding an incident of sexual abuse or sexual harassment upon learning of it. They both confirmed they have not become aware of such incidents.

**115.361 (e)** The PREA Compliance Manager stated when the facility receives an allegation of sexual abuse, the allegation is reported to the Tennessee Child Abuse Hotline, director, counselor coordinator and captain. She stated if the victim is under the guardianship of the child welfare system, the allegation is reported to the victim's caseworker. If a juvenile court retains jurisdiction over the victim, she would

	<p>report the allegation to the juvenile’s attorney. Notifications are made immediately.</p> <p>The Director stated when the facility receives an allegation of sexual abuse, the allegation is reported to the PREA Compliance Manager, medical, security manager, and law enforcement. He stated if the victim is under the guardianship of the child welfare system, the allegation is reported to the victim’s caseworker in addition to the parent or legal guardian. If a juvenile court retains jurisdiction over the victim, he would report the allegation to the juvenile’s attorney or other legal representative of record. Notifications are made immediately.</p> <p><b>115.361 (f)</b> The Director confirmed all allegations of sexual abuse or sexual harassment are reported directly to designated facility investigators.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding staff and agency reporting duties. No corrective action is required.</p>
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<b>115.362</b>	<b>Agency protection duties</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 27.40-DOE Youth Belief of Physical Danger dated July 1, 1990</li> <li>2. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Interviews:</b></p> <ol style="list-style-type: none"> <li>1. Agency Head (Executive Director)</li> <li>2. Superintendent or Designee (Director)</li> <li>3. Random Sample of Staff</li> </ol> <p><b>Findings (By Provision):</b></p> <p><b>115.362</b> Wilder Youth Development Center Pre-Audit Questionnaire response: When the agency or facility learns that a resident is subject to a substantial risk of imminent sexual abuse, it takes immediate action to protect the resident (i.e., it takes some action to assess and implement appropriate protective measures without unreasonable delay).</p> <p>In the past 12 months the number of times the agency or facility determined that a resident was subject to substantial risk of imminent sexual abuse: 0</p> <p>State of Tennessee Department of Children’s Services Administrative Policies and</p>

	<p>Procedures: 27.40-DOE Youth Belief of Physical Danger dated July 1, 1990, page 1, policy statement section, states all staff members shall take necessary precautions immediately to protect any youth who believes that he/she is in danger of physical attack from another youth(s).</p> <p>The Executive Director confirmed immediate actions will be taken to protect a resident who is subject to a substantial risk of imminent sexual abuse. Protective measures would include one-on-one supervision, developing a safety plan, moving the infirmary, or transfers.</p> <p>The Director confirmed if a resident is subject to a substantial risk of imminent sexual abuse, the facility would take immediate protective actions including moving the resident to another dorm.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding agency protection duties. No corrective action is required.</p>
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115.363	Reporting to other confinement facilities
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Interviews:</b></p> <ol style="list-style-type: none"> <li>1. Agency Head (Executive Director)</li> <li>2. Superintendent or Designee (Director)</li> </ol> <p><b>Findings (By Provision):</b></p> <p><b>115.363 (a)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency has a policy requiring that, upon receiving an allegation that a resident was sexually abused while confined at another facility, the head of the facility must notify the head of the facility or appropriate office of the agency or facility where sexual abuse is alleged to have occurred. The agency’s policy also requires that the head of the facility notify the appropriate investigative agency.</p> <p>In the past 12 months, the number of allegations the facility received that a resident</p>

was abused while confined at another facility: 0

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 2, section B.6, states if the victimization occurred while the child/youth was confined at another congregate care setting, the head of the congregate care setting that received the allegation promptly, within seventy-two hours, notifies the head of the congregate care setting where the alleged abuse occurred and reports the abuse incident directly to DCS Child Abuse Hotline at 1-877 237-0004.

**115.363 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: Agency policy requires that the facility head provides such notification as soon as possible, but no later than 72 hours after receiving the allegation.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 2, section B.6, states if the victimization occurred while the child/youth was confined at another congregate care setting, the head of the congregate care setting that received the allegation promptly, within seventy-two hours, notifies the head of the congregate care setting where the alleged abuse occurred and reports the abuse incident directly to DCS Child Abuse Hotline at 1-877 237-0004.

**115.363 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency or facility documents that it has provided such notification within 72 hours of receiving the allegation.

**115.363 (d)** Wilder Youth Development Center Pre-Audit Questionnaire response: Agency/facility policy requires that allegations received from other facilities/agencies are investigated in accordance with the PREA standards. The facility head or agency office that receives such notification shall ensure that the allegation is investigated in accordance with these standards.

In the past 12 months, the number of allegations of sexual abuse the facility received from other facilities: 0

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 2, section B.6, states if the victimization occurred while the child/youth was confined at another congregate care setting, the head of the congregate care setting that received the allegation promptly, within seventy-two hours, notifies the head of the congregate care setting where the alleged abuse occurred and reports the abuse incident directly to DCS Child Abuse Hotline at 1-877 237-0004.

The Executive Director confirmed if another agency or a facility within Tennessee Department of Children's Services refers allegations of sexual abuse or sexual harassment that occurred within one of the agency's facilities, the designated point

	<p>of contact is the Tennessee Department of Children’s Services PREA Coordinator. Additionally, the agency would notify the appropriate investigative agency. He reported there are no examples of such allegations being reported from another facility or agency.</p> <p>The Director confirmed when the facility receives an allegation from another facility or agency that an incident of sexual abuse or sexual harassment occurred in Wilder Youth Development Center, the allegation is referred for investigation and would be reported to the Tennessee Child Abuse Hotline. He reported there are no examples of another facility or agency reporting such allegations.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding reporting to other confinement facilities. No corrective action is required.</p>
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115.364	Staff first responder duties
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. Tennessee Department of Children’s Services Protocol: First Responder Guidelines for Sexual Assaults dated September 1, 2010</li> <li>3. PREA Staff First Responder Duties Card for Employees, Contractors, and Volunteers</li> <li>4. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Document (Corrective Action):</b></p> <p>Tennessee Department of Children’s Services Protocol: First Responder Guidelines for Sexual Assaults dated May 29, 2024</p> <p><b>Interviews:</b></p> <ol style="list-style-type: none"> <li>1. Staff First Responders</li> <li>2. Random Sample of Staff</li> <li>3. Residents who Reported a Sexual Abuse</li> </ol> <p><b>Findings (By Provision):</b></p> <p><b>115.364 (a)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency has a first responder policy for allegations of sexual abuse. The policy</p>

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

In the past 12 months, the number of allegations that a resident was sexually abused: 5

Of these allegations:

1. Of these allegations, the number of times the first security staff member to respond to the report separated the alleged victim and abuser: 4
2. The number of allegations where staff were notified within a time period that still allowed for the collection of physical evidence: 0

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, pages 6-7, section E.1-2.c, states upon receiving notice of an incident of sexual abuse by a child/youth, or if an employee witnesses or unexpectedly encounters an assault taking place, the employee ensures the child/youth is safe and kept separated from the perpetrator, immediately notifies their Supervisor, and:

- a) If the abuse occurred within a time period that still allows for the collection of physical evidence, request the alleged victim not take any action that could destroy physical evidence including as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating;
- b) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure the alleged abuser not take any action that could destroy physical evidence including as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating until after all physical evident is obtained in connection with the violation; and
- c) Secure the incident area and treat it as a crime scene.

The auditor reviewed the PREA Staff First Responder Duties Card for Employees, Contractors, and Volunteers and observed the card provides staff with a reference to actions taken in response to an allegation of sexual abuse.

	<p>The auditor reviewed the Tennessee Department of Children’s Services Protocol: First Responder Guidelines for Sexual Assaults dated September 1, 2010, and observed the document didn’t delineate between actions taken in response to a victim verses and abuser. Through corrective action, the agency updated the protocol and uploaded it the Online Audit System May 29, 2024. The revised document instructs staff to request the alleged victim and ensure that the alleged perpetrator involved don’t compromise the evidence by immediately showering, washing, using the toilet, changing their clothes, eat or drink, brush their teeth, or rinse their mouth until all physical evidence is obtained.</p> <p>Interviews with staff revealed they are knowledgeable their first responder duties if they are the first person to be alerted that a resident has allegedly been the victim of sexual abuse.</p> <p><b>115.364 (b)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agencies policy requires that if the first staff responder is not a security staff member, that responder shall be required to:</p> <ol style="list-style-type: none"> <li>1. Request that the alleged victim not take any actions that could destroy physical evidence.</li> <li>2. Notify security staff.</li> </ol> <p>Of the allegations that a resident was sexually abused made in the past 12 months, the number of times a non-security staff member was the first responder: 4 Of those allegations responded to first by a non-security staff member, the number of times that staff member requested that the alleged victim not take any actions that could destroy physical evidence: 0 (The PAQ indicates no cases involved physical evidence.) Of those allegations responded to first by a non-security staff member, the number of times that staff member notified security staff: 4</p> <p><b>Conclusion and Corrective Action:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding staff first responder duties. Corrective action is complete.</p> <p><b>115.364 (a)</b> The agency updated the Tennessee Department of Children’s Services Protocol: First Responder Guidelines for Sexual Assaults and uploaded it the Online Audit System May 29, 2024. The revised document instructs staff to request the alleged victim and ensure that the alleged perpetrator involved don’t compromise the evidence by immediately showering, washing, using the toilet, changing their clothes, eat or drink, brush their teeth, or rinse their mouth until all physical evidence is obtained.</p>
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<b>115.365</b>	<b>Coordinated response</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. Tennessee Department of Children’s Services Protocol: First Responder Guidelines for Sexual Assaults dated May 29, 2024</li> <li>3. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Interview:</b></p> <ol style="list-style-type: none"> <li>1. Superintendent or Designee (Director)</li> </ol> <p><b>Findings:</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The facility has developed a written institutional plan to coordinate actions taken in response to an incident of sexual abuse among staff first responders, medical and mental health practitioners, investigators, and facility leadership.</p> <p>State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 6, section E.1, states in response to an allegation of sexual abuse, the YDC/Agency develops a written plan to coordinate actions taken among staff first responders, medical and mental health practitioners, investigators, and YDC/Agency leadership.</p> <p>The auditor reviewed the Tennessee Department of Children’s Services Protocol: First Responder Guidelines for Sexual Assaults dated May 29, 2024, and observed the protocol coordinates actions taken in response to an incident of sexual abuse among staff first responders, medical and mental health practitioners, investigators, and facility leadership.</p> <p>The Director confirmed the Tennessee Department of Children’s Services Protocol: First Responder Guidelines for Sexual Assaults would be followed in response to an incident of sexual abuse.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding a coordinated response to an incident of sexual abuse. No corrective action is required.</p>
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<b>115.366</b>	<b>Preservation of ability to protect residents from contact with abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard

	<b>Auditor Discussion</b>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Document:</b> Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</p> <p><b>Interview:</b> Agency Head (Executive Director)</p> <p><b>Findings (By Provision):</b>  <b>115.366 (a)</b> Wilder Youth Development Center Pre-Audit Questionnaire response:  The agency, facility, or any other governmental entity responsible for collective bargaining on the agency's behalf has not entered into a collective bargaining agreement since the last PREA audit.</p> <p>The Executive Director confirmed Wilder Youth Development Center has not entered into or renewed any collective bargaining agreements.</p> <p><b>115.366 (b)</b> N/A</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding the preservation of ability to protect residents from contact with abusers. No corrective action is required.</p>

<b>115.367</b>	<b>Agency protection against retaliation</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. Wilder Youth Development Center PREA Retaliation Monitoring Log</li> <li>3. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Interviews:</b></p> <ol style="list-style-type: none"> <li>1. Agency Head (Executive Director)</li> <li>2. Superintendent or Designee (Director)</li> </ol>

3. Designated Staff Member Charged with Monitoring Retaliation (PREA Compliance Manager)

4. Residents who Reported a Sexual Abuse

**Findings (By Provision):**

**115.367 (a)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency has a policy to protect all residents and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff.

The agency designates the PREA Compliance Manager with tracking monitoring for possible retaliation. Additionally, the PAQ indicates all staff monitor for retaliation.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 5, section D.7, states retaliation or negative consequences for reporting sexual abuse/harassment or cooperating with sexual abuse/harassment investigations is not tolerated and may result in disciplinary action up to and including termination.

**115.367 (b)** State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated March 31, 2023, page 5, section D.10, states if any individual involved in a report expresses fear of retaliation, the YDC/Agency takes appropriate measures to protect the individual that includes segregated housing, as applicable, if voluntarily requested by the individual.

The Executive Director confirmed the agency protects residents and staff from retaliation for sexual abuse or sexual harassment allegations through separation and housing changes or transfers. The Director described the different measures that would be taken to protect residents and staff from retaliation. The PREA Compliance Manager monitors retaliation for a minimum of 90 days following an allegation. For resident-on-resident retaliation housing changes or transfers may occur. For staff-on-resident retaliation staff may be posted at the front desk during an investigation. The Staff Member Charged with Monitoring Retaliation (PREA Compliance Manager) stated the role she plays in preventing retaliation against residents and staff who report sexual abuse or sexual harassment, or against those who cooperate with sexual abuse or sexual harassment investigations. She would recommend housing changes or transfers, keep individuals separated, and offer emotional support services. She confirmed she initiates contact with residents who have reported sexual abuse.

There were no residents in isolation (for risk of sexual victimization/who allege to have suffered sexual abuse) or residents who reported sexual abuse.

**115.367 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency and/or facility monitors the conduct or treatment of residents or staff

who reported sexual abuse and of residents who were reported to have suffered sexual abuse to see if there are any changes that may suggest possible retaliation by residents or staff.

- The length of time that the agency and/or facility monitors the conduct or treatment: 90 days
- The agency/facility acts promptly to remedy any such retaliation.
- The agency/facility continues such monitoring beyond 90 days if the initial monitoring indicates a continuing need.
- The number of times an incident of retaliation occurred in the past 12 months: 2

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 5, section D.8-9, states for a period of ninety (90) days following a report, the Executive Director appoints a staff member on site to monitor the treatment of the child/youth or staff that made a report, and the child/youth who was reported to be abused, to identify attempts at retaliation or negative consequences and acts immediately to remedy any such actions. Monitoring includes, but is not limited to:

- Child/youth disciplinary reports or room changes
- Negative performance reviews or staff reassignments
- Periodic status checks of child/youth

The YDC/Agency continues monitoring beyond ninety (90) days if evidence indicates a continued need.

The Director stated measures he would take when he suspects retaliation would include contacting law enforcement. The PREA Compliance Manager stated things she looks for to detect possible retaliation would include residents and staff behavioral changes.

**115.367 (d)** State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 5, section D.8, states monitoring includes, but is not limited to periodic status checks of child/youth.

The PREA Compliance Manager stated monitoring in the form of periodic status checks occurs for at least 90 days and up until no retaliation is reported.

The auditor reviewed the Retaliation Monitoring Log and observed retaliation monitoring occurs at 30-day intervals. The log for the 12-month audit period included entries for 12 allegations of sexual abuse and sexual harassment.

**115.367 (e)** State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 5, section D.8, states if any individual involved in a report expresses fear of retaliation, the YDC/Agency takes appropriate measures to protect

	<p>the individual that includes segregated housing, as applicable, if voluntarily requested by the individual.</p> <p>The Executive Director stated if an individual who cooperates with an investigation expresses fear of retaliation, measures the agency takes to protect that individual against retaliation includes monitoring. The Director stated if an individual who cooperates with an investigation expresses a fear of retaliation, monitoring would occur for a minimum of 90 days following an allegation, housing changes or transfers, and changing staff location.</p> <p><b>115.367 (f)</b> State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 6, section D.11, states the YDC/Agency’s responsibility to monitor terminates if the allegation is unfounded.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding agency protection against retaliation. No corrective action is required.</p>
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<b>115.368</b>	<b>Post-allegation protective custody</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Document:</b> Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</p> <p><b>Interview:</b> Superintendent or Designee (Director)</p> <p><b>Findings:</b> Wilder Youth Development Center Pre-Audit Questionnaire response: Wilder Youth Development Center does not use isolation for residents who allege to have suffered sexual abuse.</p> <p>The number of residents who allege to have suffered sexual abuse who were placed in isolation in the past 12 months: 0</p> <p>The Director confirmed the facility does not use segregated housing in this manner.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding post-allegation protective custody. No corrective action is required.</p>

115.371	<b>Criminal and administrative agency investigations</b>
	<p data-bbox="280 185 981 219"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="280 264 564 297"><b>Auditor Discussion</b></p> <p data-bbox="280 338 1289 414"><b>The following evidence was analyzed in making the compliance determination:</b></p> <p data-bbox="280 423 470 456"><b>Documents:</b></p> <ol data-bbox="280 465 1469 1081" style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 14.10 Special Investigations Unit Child Protective Services Investigations dated May 7, 2024</li> <li>2. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>3. Tennessee Department of Children’s Services Protocol for DCS PREA Investigators to Conduct Prison Rape Elimination Act (PREA) Investigation</li> <li>4. PREA Investigator Training Edison Completion Log</li> <li>5. National Institute of Corrections’ Prison Rape Elimination Act (PREA) Investigating Sexual Abuse in a Confinement Setting Course Certificates</li> <li>6. Investigation Reports</li> <li>7. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p data-bbox="280 1122 459 1155"><b>Interviews:</b></p> <ol data-bbox="280 1164 884 1364" style="list-style-type: none"> <li>1. Superintendent or Designee (Director)</li> <li>2. PREA Coordinator</li> <li>3. PREA Compliance Manager</li> <li>4. Investigative Staff</li> <li>5. Residents who Reported a Sexual Abuse</li> </ol> <p data-bbox="280 1404 662 1438"><b>Findings (By Provision):</b></p> <p data-bbox="280 1447 1442 1563"><b>115.371 (a)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency/facility has a policy related to criminal and administrative agency investigations.</p> <p data-bbox="280 1603 1461 1971">State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 14.10 Special Investigations Unit Child Protective Services Investigations dated May 7, 2024, page 1, policy statement section, states the Department of Children’s Services (DCS) Special Investigations Unit (SIU) conducts investigations on allegations of child abuse and neglect which occur while a child is in DCS custody or when the case involves non-custodial children where the alleged perpetrator (AP) is acting in an official employment, volunteer, or foster care capacity. The SIU conducts investigations where the allegations would affect the employment or volunteer status of those working with children.</p> <p data-bbox="280 2011 1466 2087">The Tennessee Department of Children’s Services investigator stated once a case is received, an investigation is initiated. Additionally, the investigator confirmed he</p>

handles anonymous or third-party reports of sexual abuse and sexual harassment in the same manner as all investigations.

The auditor reviewed 11 reports of sexual abuse and harassment allegations, including full investigative reports with findings. There were 2 unsubstantiated allegations of staff-on-resident sexual abuse, 1 unfounded allegation of staff-on-resident sexual abuse, 1 unsubstantiated allegation of resident-on-resident sexual abuse, 1 unfounded allegation of resident-on-resident sexual abuse, 4 unsubstantiated allegation of resident-on-resident sexual harassment, 1 unfounded allegation of resident-on-resident sexual harassment, and 1 substantiated allegation of resident-on-resident sexual harassment.

**115.371 (b)** State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 11, section I.4, states employees who conduct investigations of allegations of sexual abuse/harassment on children/youth in YDC/ agencies care receive training in compliance with PREA Standards.

The auditor reviewed annual training required by § 115.331 and National Institute of Corrections' Prison Rape Elimination Act (PREA) Investigating Sexual Abuse in a Confinement Setting Course Certificates. The training was completed by 21 investigators.

The Tennessee Department of Children's Services investigator interviewed confirmed he received training specific to conducting sexual abuse and sexual harassment investigations in confinement settings. He stated he received the training required by §115.331 and completed the specialized training topics.

**115.371 (c)** The Tennessee Department of Children's Services investigator confirmed the first steps in initiating an investigation is contacting the facility where an allegation of sexual abuse or sexual harassment has been made, requesting all available information, and identifying interviews. He then would arrive on scene, making sure it is secure, He would review any actions taken by the medical department, conduct interviews, and review video evidence. Direct and circumstantial evidence he would be responsible for gathering in an investigation of an incident of sexual abuse would include video footage, risk assessments, risk reassessments, logbook entries, telephone logs, incident reports, medical reports, and all available paperwork.

The auditor reviewed 11 reports of sexual abuse and harassment allegations, including full investigative reports with findings.

**115.371 (d)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency does not terminate an investigation solely because the source of the allegation recants the allegation.

The Tennessee Department of Children's Services investigator confirmed an investigation does not terminate if the source of the allegation recants the

allegation.

**115.371 (e)** The Tennessee Department of Children’s Services investigator confirmed there is evidence that a prosecutable crime may have taken place, detectives would consult with prosecutors before conducting compelled interviews.

**115.371 (f)** The Tennessee Department of Children’s Services investigator confirmed he judges the credibility of an alleged victim, suspect, or witness based on evidence. He stated under no circumstance, does he require a resident who alleges sexual abuse to submit to a polygraph examination or truth telling device as a condition for proceeding with an investigation.

One resident, who reported sexual abuse or sexual harassment, was interviewed who reported a sexual abuse allegation. The resident confirmed he was not required to submit to a polygraph examination or truth telling device.

**115.371 (g)** The Tennessee Department of Children’s Services investigator stated the efforts he makes during an administrative investigation to determine whether staff actions or failures to act contributed to the sexual abuse include looking at supervision, staff actions, room checks, etc. He confirmed he documents administrative investigations in written reports. The reports include a full description of the investigation, referrals, contacts made, interviews, case concerns, and a conclusion.

**115.371 (h)** The Tennessee Department of Children’s Services investigator confirmed criminal investigations are documented.

There were no criminal investigation reports.

**115.371 (i)** Wilder Youth Development Center Pre-Audit Questionnaire response: Substantiated allegations of conduct that appear to be criminal are referred for prosecution.

The number of substantiated allegations of conduct that appear to be criminal that were referred for prosecution since the last PREA audit: 0

The Tennessee Department of Children’s Services investigator confirmed the sheriff’s department would take the lead and cases would be referred for prosecution only when there are substantiated allegations of conduct that appears to be criminal.

**115.371 (j)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency retains all written reports pertaining to the administrative or criminal investigation of alleged sexual abuse or sexual harassment for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 14, section K.3.e, states pursuant to PREA Standards § 115.371 DCS/

	<p>agencies retains all written reports pertaining to the administrative or criminal investigation of alleged sexual abuse or sexual harassment for as long as the alleged abuser is incarcerated, or abuser is employed by the agency plus five (5) years.</p> <p>The auditor reviewed 11 reports of sexual abuse and harassment allegations, including full investigative reports with findings.</p> <p><b>115.371 (k)</b> The departure of the alleged abuser or victim from the employment or control of the facility or agency shall not provide a basis for terminating an investigation.</p> <p>The Tennessee Department of Children’s Services investigator confirmed an investigation continues when a staff member alleged to have committed sexual abuse or sexual harassment terminates employment prior to a completed investigation into his/her conduct.</p> <p><b>115.371 (m)</b> The Director confirmed if an outside agency investigates allegations of sexual abuse, the facility remains informed of the progress of a sexual abuse investigation through communication with the sheriff’s office. The PREA Coordinator stated the agency remains informed of the progress of a sexual abuse investigation through communication with the Child Protective Investigative Team (CPIT). The Director or PREA Coordinator would maintain contact. The investigator stated he would remain in contact with the CPIT, Child Protection Services, and the sheriff.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding criminal and administrative agency investigations. No corrective action is required.</p>
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<b>115.372</b>	<b>Evidentiary standard for administrative investigations</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Interview:</b></p> <p>Investigative Staff</p>

	<p><b>Findings:</b></p> <p>Wilder Youth Development Center Pre-Audit Questionnaire response: The agency imposes a standard of a preponderance of the evidence or a lower standard of proof when determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 8, section F.1, states DCS imposes a standard of preponderance of the evidence for determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>The Tennessee Department of Children’s Services investigator confirmed he requires the preponderance of the evidence to substantiate allegations of sexual abuse or sexual harassment.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the agency, and facility is fully compliant with this standard regarding evidentiary standard for administrative investigations. No corrective action is required.</p>
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115.373	Reporting to residents
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. Tennessee Department of Children’s Services Sexual Abuse/Harassment Juvenile Notification Investigation Outcome Form dated March 2023</li> <li>3. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Interviews:</b></p> <ol style="list-style-type: none"> <li>1. Superintendent or Designee (Director)</li> <li>2. Investigative Staff</li> <li>3. Residents who Reported a Sexual Abuse</li> </ol> <p><b>Findings (by provision):</b></p> <p><b>115.373 (a)</b> Wilder Youth Development Center Pre-Audit Questionnaire response:</p>

The agency has a policy requiring that any resident who makes an allegation that he or he suffered sexual abuse in an agency facility is informed, verbally or in writing, as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation by the agency.

In the past 12 months:

1. The number of criminal and/or administrative investigations of alleged resident sexual abuse that were completed by the agency: 4
2. Of the investigations that were completed of alleged sexual abuse, the number of residents who were notified, verbally or in writing, of the results of the investigation: 0 (The PAQ indicates all youth were released from the facility prior to being informed due to when the case closed.)

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 9, section G.3, states the YDC/Agency completes form CS-4233, Sexual Abuse/Harassment Juvenile

Notification Investigation Outcome confirming the youth has been notified of the investigation results.

The Director confirmed the facility notifies a resident who makes an allegation of sexual abuse, that the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation.

The Tennessee Department of Children's Services investigator he is aware that when a resident makes an allegation of sexual abuse, the resident must be informed as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation.

**115.373 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: If an outside entity conducts such investigations, the agency requests the relevant information from the investigative entity in order to inform the resident of the outcome of the investigation.

In the past 12 months:

1. The number of investigations of alleged resident sexual abuse in the facility that were completed by an outside agency: 0
2. Of the outside agency investigations of alleged sexual abuse that were completed, the number of residents alleging sexual abuse in the facility who were notified verbally or in writing of the results of the investigation: N/A

**115.373 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: Following a resident's allegation that a staff member has committed sexual abuse against the resident, the agency/facility subsequently informs the resident (unless the agency/facility has determined that the allegation is unfounded) whenever:

1. The staff member is no longer posted within the resident's unit;
2. The staff member is no longer employed at the facility;
3. The agency learns that the staff member has been indicted on a charge related to

	<p>sexual abuse within the facility; or</p> <p>4. The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility.</p> <p>The auditor reviewed the Tennessee Department of Children’s Services Sexual Abuse/Harassment Juvenile Notification Investigation Outcome Form dated March 2023 and observed the form includes the standard provision requirements.</p> <p>The auditor reviewed one unsubstantiated allegation of staff on resident sexual abuse. The PAQ indicates the resident was released prior to conclusion of the investigation.</p> <p><b>115.373 (d)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: Following a resident’s allegation that he or she has been sexually abused by another resident in an agency facility, the agency subsequently informs the alleged victim whenever:</p> <ol style="list-style-type: none"><li>1. The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or</li><li>2. The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.</li></ol> <p>The auditor reviewed the Tennessee Department of Children’s Services Sexual Abuse/Harassment Juvenile Notification Investigation Outcome Form dated March 2023 and observed the form includes the standard provision requirements.</p> <p><b>115.373 (e)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency has a policy that all notifications to residents described under this standard are documented.</p> <p>State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 9, section G.3, states the YDC/Agency completes form CS-4233, Sexual Abuse/Harassment Juvenile Notification Investigation Outcome confirming the youth has been notified of the investigation results.</p> <p>The auditor reviewed the Tennessee Department of Children’s Services Sexual Abuse/Harassment Juvenile Notification Investigation Outcome Form dated March 2023 and observed the form would be used to document notifications to residents.</p> <p><b>115.373 (f)</b> An agency’s obligation to report under this standard shall terminate if the resident is released from the agency’s custody.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding reporting to residents. No corrective action is required.</p>
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<b>115.376</b>	<b>Disciplinary sanctions for staff</b>
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**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**The following evidence was analyzed in making the compliance determination:**

**Documents:**

1. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024
2. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 4.9 Employee Disciplinary Actions and Mediation Process dated April 1, 2020
3. Rules of The Tennessee Department of Human Resources: Chapter 1120-10 Disciplinary Action dated April 2023
4. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)

**Findings (by provision):**

**115.376 (a)** Wilder Youth Development Center Pre-Audit Questionnaire response: Staff is subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 4.9 Employee Disciplinary Actions and Mediation Process dated April 1, 2020, pages 4-5, section E. 1.h, states in addition to the disciplinary offenses listed in the Rules of the Tennessee

Department of Human Resources – Disciplinary Action (Chapter 1120-10), the following offenses may be grounds for disciplinary action, up to and including termination: A substantiation of child abuse by the employee is grounds for termination.

**115.376 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: In the past 12 months:

1. The number of staff from the facility that have violated agency sexual abuse or sexual harassment policies: 0
2. The number of those staff from the facility that have been terminated (or resigned prior to termination) for violating agency sexual abuse or sexual harassment policies: N/A

**115.376 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.

In the past 12 months, the number of staff from the facility that have been

	<p>disciplined, short of termination, for violation of agency sexual abuse or sexual harassment policies: 0</p> <p><b>115.376 (d)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, are reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.</p> <p>In the past 12 months, the number of staff from the facility that have been reported to law enforcement or licensing boards following their termination (or resignation prior to termination) for violating agency sexual abuse or sexual harassment policies: 0</p> <p>State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 8, section F.4, states all sexual abuse/harassment allegations are deemed severe abuse by DCS policy and are referred to law enforcement as part of the Child Protective Investigative Team (CPIT). At the conclusion of the investigation all information is presented to the CPIT team, where law enforcement and the District Attorney’s office discuss prosecution.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding disciplinary sanctions for staff. No corrective action is required.</p>
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<b>115.377</b>	<b>Corrective action for contractors and volunteers</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. Tennessee Department of Children’s Services Employee/Volunteer/Contractor Acknowledgement &amp; Notification of Prison Rape Elimination Act (PREA)</li> <li>3. Tennessee Department of Children’s Services Volunteer Service Procedures Manual</li> <li>4. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol>

	<p><b>Interview:</b> Superintendent or Designee (Director)</p> <p><b>Findings (by provision):</b>  <b>115.377 (a)</b> Wilder Youth Development Center Pre-Audit Questionnaire response:  Agency policy requires that any contractor or volunteer who engages in sexual abuse be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. Agency policy requires that any contractor or volunteer who engages in sexual abuse be prohibited from contact with residents.</p> <p>In the past 12 months, no contractors or volunteers have been reported to law enforcement agencies and relevant licensing bodies for engaging in sexual abuse of residents.</p> <p>The Tennessee Department of Children’s Services Employee/Volunteer/Contractor Acknowledgement &amp; Notification of Prison Rape Elimination Act (PREA), pages 1-2, sections 6-7, states any sexual contact with a youth will result in termination from employment and probable criminal action.</p> <p><b>115.377 (b)</b> Wilder Youth Development Center Pre-Audit Questionnaire response:  The facility takes appropriate remedial measures and considers whether to prohibit further contact with residents in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.</p> <p>The Director confirmed the facility would take remedial measures and prohibit further contact with residents. The contractor or volunteer would not be allowed to enter the facility and law enforcement would be contacted.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding corrective action for contractors and volunteers. No corrective action is required.</p>
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115.378	Interventions and disciplinary sanctions for residents
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. State of Tennessee Department of Children’s Services Administrative Policies and</li> </ol>

Procedures: 18.17 DOE Programs of Behavior Management dated June 15, 2008  
3. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 25.2 DOE Disciplinary Report/Notice of Hearing for Youth in Youth Development Centers dated July 1, 2008  
4. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 25.4 DOE Disciplinary Punishment Guidelines for Youth in Youth Development Centers dated July 1, 2008  
5. Tennessee Department of Children's Services Youth Handbook dated April 2024  
6. Wilder/Omni Community Health Treatment Plan dated October 31, 2023  
7. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)

**Interview:**

Superintendent or Designee (Director)

**Findings (by provision):**

**115.378 (a)** Wilder Youth Development Center Pre-Audit Questionnaire response: Residents are subject to disciplinary sanctions only pursuant to a formal disciplinary process following an administrative finding that the resident engaged in resident-on-resident sexual abuse.

Residents are subject to disciplinary sanctions only pursuant to a formal disciplinary process following a criminal finding of guilt for resident-on-resident sexual abuse.

In the past 12 months:

1. The number of administrative findings of resident-on-resident sexual abuse that have occurred at the facility: 0
2. The number of criminal findings of guilt for resident-on-resident sexual abuse that have occurred at the facility: 0

The auditor reviewee State of Tennessee Department of Children's Services Administrative Policies and Procedures: 25.2 DOE Disciplinary Report/Notice of Hearing for Youth in Youth Development Centers dated July 1, 2008, and observed residents would be subject to disciplinary sanctions only pursuant to a formal disciplinary process.

**115.378 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: In the event a disciplinary sanction for resident-on resident sexual abuse results in the isolation of a resident, the facility policy requires that residents in isolation have daily access to large muscle exercise, legally required educational programming, and special education services. In the event a disciplinary sanction for resident-on resident sexual abuse results in the isolation of a resident, residents in isolation receive daily visits from a medical or mental health care clinician. In the event a disciplinary sanction for resident-on resident sexual abuse results in the isolation of a resident, residents in isolation have access to other programs and work opportunities to the extent possible.

In the past 12 months:

1. The number of residents placed in isolation as a disciplinary sanction for resident-

on resident sexual abuse: 0

2. The number of residents placed in isolation as a disciplinary sanction for resident-on resident sexual abuse, who were denied daily access to large muscle exercise, and/or legally required educational programming, or special education services: N/A

3. The number of residents placed in isolation as a disciplinary sanction for resident-on resident sexual abuse, who were denied access to other programs and work opportunities: N/A

Wilder Youth Development Center does not use isolation as a disciplinary sanction. The Director confirmed disciplinary sanctions residents are subject to following an administrative or criminal finding the resident engaged in resident-on-resident sexual abuse would be determined by the disciplinary process. Housing changes or a facility transfer may occur. The sanctions would be proportionate to the nature and circumstances of the abuses committed, the residents' disciplinary histories, and the sanctions imposed for similar offenses by other residents with similar histories.

**115.378 (c)** When determining sanctions, a resident's mental disabilities or mental illness is considered when determining what type of sanction, if any, should be imposed.

The Director stated mental disability or mental illness is considered when determining sanctions.

**115.378 (d)** Wilder Youth Development Center Pre-Audit Questionnaire response: The facility offers therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse. If the facility offers therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse, the facility considers whether to require the offending resident to participate in such interventions as a condition of access to any rewards-based behavior management system or other behavior-based incentives. Access to general programming or education is not conditional on participation in such interventions.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.17 DOE Programs of Behavior Management dated June 15, 2008, page 1, section A.1-5, states Youth Service Managers of Treatment shall have the responsibility for the formulation and implementation of individualized behavior management programs. Youth goals and objectives should be targeted, and the most appropriate treatment option chosen. The Individual Program Plan (IPP) will identify the specific program of behavior management for each youth. Examples of other behavior management programs which would complement the IPP are as follows:

1. Behavioral contracts;
2. Point system;
3. Behavioral consequences;
4. Incentive programs;
5. Level systems, positive behavior reports.

	<p><b>115.378 (e)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency disciplines residents for sexual contact with staff only upon finding that the staff member did not consent to such contact.</p> <p><b>115.378 (f)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency prohibits disciplinary action for a report of sexual abuse 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.</p> <p><b>115.378 (g)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency prohibits all sexual activity between residents. The agency deems such activity to constitute sexual abuse only if it determines that the activity is coerced.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding interventions and disciplinary sanctions for residents. No corrective action is required.</p>
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<b>115.381</b>	<b>Medical and mental health screenings; history of sexual abuse</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. Memorandum Regarding Follow-up Meetings with a Mental Health Practitioner dated June 5, 2024</li> <li>3. PREA Risk Assessment Log</li> <li>4. Mental Health Assessments and Notes</li> <li>5. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Interviews:</b></p> <ol style="list-style-type: none"> <li>1. Staff Responsible for Risk Screening</li> <li>2. Medical and Mental Health Staff</li> <li>3. Residents who Disclose Sexual Victimization at Risk Screening</li> </ol> <p><b>Findings (by provision):</b></p> <p><b>115.381 (a)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: All residents at this facility who have disclosed any prior sexual victimization during a screening pursuant to §115.341 are offered a follow-up meeting with a medical or</p>

mental health practitioner. The follow-up meeting was offered within 14 days of the intake screening. Medical and mental health staff maintain secondary materials (e.g., form, log) documenting compliance with the above required services.

In the past 12 months, the number of residents who disclosed prior victimization during screening who were offered a follow up meeting with a medical or mental health practitioner: 100%

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 2, section B.5, states if further screenings or assessments indicate a child/youth has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, designated staff ensures that the child/youth is offered a follow-up meeting with a medical or mental health practitioner within fourteen (14) days of the intake screening.

The intake staff responsible for risk screening (Chaplain) confirmed if a screening indicates that a resident has experienced prior sexual victimization, whether in an institutional setting, or in the community, they are offered a follow-up meeting with a medical/and or mental health practitioner within 14 days.

The auditor reviewed a memorandum regarding follow-up meetings with a mental health practitioner dated June 5, 2024. The memorandum states all youth who are admitted into Wilder, meet with a mental health practitioner and receive a Diagnostic Assessment which includes a screening for trauma and history of physical, emotional and sexual abuse. This occurs within 14 days of the intake screening (PREA Risk Assessment) and includes youth who have disclosed prior sexual victimization as well as youth who have previously perpetrated sexual abuse.

The auditor reviewed a PREA Risk Assessment Log and documented mental health treatment notes for residents who disclosed prior victimization during risk screening, for the 12-month audit period. Additionally, during the onsite audit, 2 residents were identified as reporting prior sexual victimization during risk screening. One resident stated he declined a follow-up meeting. The other resident stated he was offered and he accepted a meeting with a mental health care practitioner within 14 days. The auditor reviewed the mental health treatment note for the resident who accepted the follow-up meeting and observed the meeting was held within 14 days of intake.

**115.381 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: All residents who have previously perpetrated sexual abuse, as indicated during the screening pursuant to § 115.341, are offered a follow-up meeting with a mental health practitioner. The follow-up meeting was offered within 14 days of the intake screening. Mental health staff maintain secondary materials (e.g., form, log) documenting compliance with the above required services.

In the past 12 months, the percent of residents who previously perpetrated sexual

abuse, as indicated during screening, who were offered a follow up meeting with a mental health practitioner: 100%

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, pages 2-3, section B.8, states if the screening indicates that a child/youth has previously perpetrated sexual abuse/harassment, whether it occurred in an institutional setting or in the community, designated staff ensure that the child/youth is offered a follow-up meeting with a mental health practitioner within fourteen (14) days of the intake screening.

The Chaplain confirmed if a screening indicates that a resident has previously perpetrated sexual abuse, whether in an institutional setting, or in the community, they are offered a follow-up meeting with a medical/and or mental health practitioner within 14 days.

The auditor reviewed a memorandum regarding follow-up meetings with a mental health practitioner dated June 5, 2024. The memorandum states all youth who are admitted into Wilder, meet with a mental health practitioner and receive a Diagnostic Assessment which includes a screening for trauma and history of physical, emotional and sexual abuse. This occurs within 14 days of the intake screening (PREA Risk Assessment) and includes youth who have disclosed prior sexual victimization as well as youth who have previously perpetrated sexual abuse. Additionally, the auditor reviewed a PREA Risk Assessment Log and documented mental health treatment notes for the 12-month audit period.

**115.381 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: Information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to medical and mental health practitioners.

The Lead Nurse and Program Coordinator confirmed information shared with other staff is strictly limited to informing security and management decisions, including treatment plans, housing, bed, work, education, and program assignments.

The auditor observed medical and mental health information is securely maintained by medical and mental health staff.

**115.381 (d)** Wilder Youth Development Center Pre-Audit Questionnaire response: Medical and mental health practitioners obtain informed consent from residents before reporting information about prior sexual victimization that did not occur in an institutional setting unless the resident is under the age of 18.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 2, section B.7, states medical and mental health practitioners obtain informed consent from residents before reporting information about prior sexual victimization that did not occur in an institutional setting unless the resident is

	<p>under the age of eighteen (18).</p> <p>The Lead Nurse and Program Coordinator confirmed informed consent is required for residents 18 and older.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding medical and mental health screenings; history of sexual abuse. No corrective action is required.</p>
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<b>115.382</b>	<b>Access to emergency medical and mental health services</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 20.5 Health Care Delivery at the Youth Development Center dated September 29, 2022</li> <li>3. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Interviews:</b></p> <ol style="list-style-type: none"> <li>1. Medical and Mental Health Staff</li> <li>2. Residents who Reported a Sexual Abuse</li> <li>3. Security Staff and Non-Security Staff First Responders</li> </ol> <p><b>Site Review Observations:</b></p> <p>Observations during on-site review of physical plant</p> <p><b>Findings (By Provision):</b></p> <p><b>115.382 (a)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: Resident victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services. The nature and scope of such services are determined by medical and mental health practitioners according to their professional judgment. Medical and mental health staff maintain secondary materials (e.g., form, log) documenting the timeliness of emergency medical treatment and crisis intervention services that were provided; the appropriate response by non-health staff in the event health staff are not present at the time the incident is reported; and the provision of appropriate and timely information and</p>

services concerning contraception and sexually transmitted infection prophylaxis.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 20.5 Health Care Delivery at the Youth Development Center dated September 29, 2022, page 7, section D, states the Health Services Office has a protocol to ensure that youth have access to (twenty-four) 24-hour emergency medical, dental, and mental health services.

The protocol includes:

- Response to emergencies occurring within the facility;
- On-site emergency first aid and/or life-saving stabilizing emergency care which will be provided within a (four) four-minute response time;
- Location of emergency supplies and equipment within the facility;
- Regular inspection, replenishment and maintenance of emergency supplies and equipment;
- Identification of emergency personnel on-call or available (twenty-four) 24 hours per day, including physician, dentist, and mental health professional services.
- Emergency evacuation or transfer/transportation of the youth from the facility when appropriate. The transportation system assures timely access to health services that are only available outside the YDC.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 20.5 Health Care Delivery at the Youth Development Center dated September 29, 2022, page 6, section 5, states clinical protocols define the scope of practice for health-care professionals (e.g. nurses, emergency medical technicians) and are the means by which the physician delegates specific acts of medical management to other healthcare professionals

The Lead Nurse and Program Coordinator confirmed resident victims of sexual abuse receive immediate, unimpeded access to emergency medical treatment and crisis intervention services the nature and scope of these services would be determined according to their professional judgement.

One resident, who reported sexual abuse or sexual harassment, was interviewed. The resident stated no emergency medical treatment or crisis intervention services were required.

**115.382 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, staff first responders shall take preliminary steps to protect the victim pursuant to § 115.362 and shall immediately notify the appropriate medical and mental health practitioners.

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

**115.382 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response:

	<p>Resident victims of sexual abuse while incarcerated are offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate. Medical and mental health staff maintain secondary materials documenting the timeliness of emergency medical treatment and crisis intervention services that were provided; the appropriate response by non-health staff in the event health staff are not present at the time the incident is reported; and the provision of appropriate and timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.</p> <p>State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 3, section C.2 states children/youth are offered tests for sexually transmitted infections as medically appropriate.</p> <p>The Lead Nurse and Program Coordinator confirmed victims of sexual abuse would be offered timely information about access to sexually transmitted infection prophylaxis.</p> <p><b>115.382 (d)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.</p> <p>State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 4, section C.2 states treatment services and forensic medical examinations are provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding access to emergency medical and mental health services. No corrective action is required.</p>
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<b>115.383</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

**The following evidence was analyzed in making the compliance determination:**

**Documents:**

1. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024
2. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)

**Interviews:**

1. Medical and Mental Health Staff
2. Residents who Reported a Sexual Abuse

**Site Review Observations:**

Observations during on-site review of physical plant

**Findings (by provision):**

**115.383 (a)** Wilder Youth Development Center Pre-Audit Questionnaire response: The facility offers medical and mental health evaluation and, as appropriate, treatment to all residents who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, pages 7-8, section E.7.a-e, states children/youth who are the victim of sexual abuse are provided prompt and appropriate medical treatment and counseling.

The auditor observed medical facilities during the site review.

**115.383 (b)** State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, pages 7-8, section E.7.a-e, states children/youth who are the victim of sexual abuse are provided prompt and appropriate medical treatment and counseling, to include is but not limited to:

- a) YDC/agency staff, as applicable, provides access to an outside victim advocate for emotional support services related to sexual abuse to child/youth with the forensic medical exam process and investigation interviews.
- b) The development of a safety action plan that includes a review/adjustment, if necessary, of appropriate housing, bed, program, education and work assignments to keep child/youth safe and free from sexual abuse.
- c) An assessment by a mental health professional.
- d) Mental health counseling as needed.
- e) Follow-up services and referrals, as applicable, for continued care following transfer to, or placement in other facilities, or release from custody.

The Lead Nurse and Program Coordinator confirmed evaluation and treatment of

residents who have been victimized would include follow-up medical and mental health services and referrals when needed. The Lead Nurse stated residents would receive tests for sexually transmitted diseases and follow-up medical care as needed. The Program Coordinator stated residents would receive trauma informed care and mental health services designed to meets their needs.

One resident, who reported sexual abuse or sexual harassment, was interviewed. The resident stated no follow-up services were required.

**115.383 (c)** The Lead Nurse and Program Coordinator confirmed medical and mental health services are consistent with the community level of care.

**115.383 (d)** N/A Wilder Youth Development Center is an all-male facility.

**115.383 (e)** N/A Wilder Youth Development Center is an all-male facility.

**115.383 (f)** Wilder Youth Development Center Pre-Audit Questionnaire response: Resident victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 3, section C.2 states children/youth are offered tests for sexually transmitted infections as medically appropriate.

The Lead Nurse confirmed victims of sexual abuse shall be offered tests for sexually transmitted infections as medically appropriate.

**115.383 (g)** Wilder Youth Development Center Pre-Audit Questionnaire response: Treatment services are provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 4, section C.2 states treatment services and forensic medical examinations are provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

**115.383 (h)** Wilder Youth Development Center Pre-Audit Questionnaire response: The facility attempts to conduct a mental health evaluation of all known resident-on-resident abusers within 60 days of learning of such abuse history and offers treatment when deemed appropriate by mental health practitioners.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7,

	<p>2024, page 8, section E.7 states an evaluation is conducted on all known youth on youth sexual abusers within sixty (60) days of learning such abuse history and offers treatment when deemed appropriate by mental health practitioners.</p> <p>The Program Coordinator confirmed a mental health evaluation of all known resident-on-resident abusers would be conducted and they would be offered treatment if appropriate. The evaluation would be offered within a week.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding ongoing medical and mental health care for sexual abuse victims and abusers. No corrective action is required.</p>
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<b>115.386</b>	<b>Sexual abuse incident reviews</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. Tennessee Department of Children’s Services PREA - Sexual Abuse Critical Incident Review Form dated September 2017</li> <li>3. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Document (Corrective Action):</b></p> <ol style="list-style-type: none"> <li>1. Tennessee Department of Children’s Services PREA - Sexual Abuse Critical Incident Review Form revised May 2024</li> <li>2. Memorandum Regarding Sexual Abuse Incident Reviews dated May 31, 2024</li> <li>3. Sexual Abuse Critical Incident Reviews dated July 31, 2024</li> </ol> <p><b>Interviews:</b></p> <ol style="list-style-type: none"> <li>1. Superintendent or Designee (Director)</li> <li>2. PREA Compliance Manager</li> <li>3. Incident Review Team</li> </ol> <p><b>Findings (by provision):</b></p> <p><b>115.386 (a)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The facility conducts a sexual abuse incident review at the conclusion of every sexual abuse criminal or administrative investigation unless the allegation has been determined to be unfounded.</p>

In the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility, excluding only “unfounded” incidents: 2

State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 9, section H, states the YDC/Agency conducts a sexual abuse incident review within thirty (30) days of the close of every sexual abuse investigation involving a PREA-related incident, unless the outcome was unfounded.

The auditor reviewed 2 unsubstantiated allegations of sexual abuse and observed sexual abuse incident reviews were conducted.

115.386 (b) Wilder Youth Development Center Pre-Audit Questionnaire response: The facility ordinarily conducts a sexual abuse incident review within 30 days of the conclusion of the criminal or administrative sexual abuse investigation.

In the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility that were followed by a sexual abuse incident review within 30 days, excluding only “unfounded” incidents: 0

State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 9, section H.1 states the YDC/Agency conducts a sexual abuse incident review within thirty (30) days of the close of every sexual abuse investigation involving a PREA-related incident, unless the outcome was unfounded.

The auditor reviewed 2 examples of sexual abuse incident reviews and observed the reviews did not occur within 30 days of the conclusion of the sexual abuse investigation.

Trough corrective action the agency updated the Tennessee Department of Children’s Services PREA - Sexual Abuse Critical Incident Review Form May 2024 to include the date an investigation is closed. Additionally, the agency provided a memorandum regarding sexual abuse incident reviews dated May 31, 2024, that states the 30-day requirement for completing the reviews has been addressed through training and implementing a tracking spreadsheet to assist with meeting the required timeframe for the reviews.

The agency provided two additional Sexual Abuse Critical Incident Reviews dated July 31, 2024. The auditor observed the reviews were completed within 30 days of the conclusion of the investigation.

**115.386 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: The sexual abuse incident review team includes upper-level management officials and allows for input from line supervisors, investigators, and medical or mental health practitioners.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 9, section H.2 states the review team consists of management level staff/designees, as applicable, with input from line supervisors, investigators and medical and/or mental health practitioners.

The Director confirmed the facility has a sexual abuse incident review team; the team includes upper-level management officials and allows for input from line supervisors, investigators, and medical or mental health practitioners.

The auditor reviewed 2 examples of sexual abuse incident reviews and observed the team included upper-level management officials and medical and mental health practitioners.

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**115.386 (d)** Wilder Youth Development Center Pre-Audit Questionnaire response: The facility prepares a report of its findings from sexual abuse incident reviews, including but not necessarily limited to determinations made pursuant to paragraphs (d)(1)-(d)(5) of this section, and any recommendations for improvement and submits such report to the facility head and PREA compliance manager.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, pages 9-10, section H.3.a-f, states the review team:

- a) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse;
- b) Consider whether the incident or allegation was motivated by:
  - Race;
  - Ethnicity;
  - Gender identity;
  - Lesbian, gay, bisexual, transgender, intersex, or gender non-conforming identification, status, or perceived status; or
  - Gang affiliation or was motivated or otherwise caused by other group dynamics at the YDC/Agency.
- c) Examine the area in the YDC/Agency where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
- d) Assess the adequacy of staffing levels in that area during different shifts;
- e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and
- f) Complete form CS-1123, PREA - Sexual Abuse Critical Incident Review to include determinations made pursuant to paragraphs 2. B) of this Section, and any recommendations for improvement and submit the report to the Superintendent/ Facility Administrator.

The PREA Coordinator stated she is a member of the sexual abuse incident review team. Additionally, the Director reported she is a part of the sexual abuse incident review team. She stated the team considers whether the incident or allegation was

	<p>motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility. The area in the facility where the incident allegedly occurred is examined to assess whether physical barriers in the area may enable abuse. Adequacy of staffing levels in the area is assessed for different shifts. She stated the team assesses whether monitoring technology should be deployed or augmented to supplement supervision by staff.</p> <p>The auditor observed the Tennessee Department of Children's Services PREA - Sexual Abuse Critical Incident Review Form is inclusive of the standard provision requirements.</p> <p><b>115.386 (e)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The facility implements the recommendations for improvement or documents its reasons for not doing so.</p> <p>State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 9, section H.2.g states the YDC/Agency implements the recommendations for improvement, or documents reasons for not doing so, e.g., inadequate funding or staffing issues.</p> <p>The auditor observed the Tennessee Department of Children's Services PREA - Sexual Abuse Critical Incident Review Form is inclusive of the standard provision requirement of implementing recommendations for improvement or documenting the reasons for not doing so. The auditor reviewed 2 examples of sexual abuse incident reviews and observed no recommendations for improvement were suggested.</p> <p><b>Conclusion and Corrective Action:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is not fully compliant with this standard regarding sexual abuse incident reviews. Corrective action is complete.</p> <p><b>115.386 (b)</b> The agency updated the Tennessee Department of Children's Services PREA - Sexual Abuse Critical Incident Review Form May 2024 to include the date an investigation is closed. Additionally, the agency provided a memorandum regarding sexual abuse incident reviews dated May 31, 2024, that states the 30-day requirement for completing the reviews has been addressed through training and implementing a tracking spreadsheet to assist with meeting the required timeframe for the reviews.</p> <p>The agency provided two additional Sexual Abuse Critical Incident Reviews dated July 31, 2024. The auditor observed the reviews were completed within 30 days of the conclusion of the investigation.</p>
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<b>115.387</b>	<b>Data collection</b>
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**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**The following evidence was analyzed in making the compliance determination:**

**Documents:**

1. State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024
2. Wilder Sexual Abuse & Sexual Harassment Allegations Spreadsheet from April 2023 to April 2024
3. Tennessee Department of Children's Services Annual PREA Report (FY23) dated January 2024
4. Tennessee Department of Children's Services Website
5. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)

**Findings (by provision):**

**115.387 (a)** Wilder Youth Development Center Pre-Audit Questionnaire response: 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 Victimization conducted by the Department of Justice.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 13, section K.1 states DCS/Agencies collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions as instructed by the DCS Statewide PREA Coordinator.

**115.387 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency aggregates the incident-based sexual abuse data at least annually.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 12, section K.1.a states DCS/Agencies aggregate the incident-based sexual abuse data at least annually.

The auditor reviewed aggregated data in the 2023 annual report.

**115.387 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: The standardized instrument includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Victimization

(SSV) conducted by the Department of Justice.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 13, section K.1.b states The incident-based data collected includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.

The auditor reviewed the Survey of Sexual Victimization Substantiated Incident Form (Juvenile) for verification the instrument includes the data necessary to answer all questions from the SSV.

**115.387 (d)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 13, section K.1.c states DCS/Agencies maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

The auditor reviewed 11 reports of sexual abuse and harassment allegations, including full investigative reports with findings. There were 2 unsubstantiated allegations of staff-on-resident sexual abuse, 1 unfounded allegation of staff-on-resident sexual abuse, 1 unsubstantiated allegation of resident-on-resident sexual abuse, 1 unfounded allegation of resident-on-resident sexual abuse, 4 unsubstantiated allegation of resident-on-resident sexual harassment, 1 unfounded allegation of resident-on-resident sexual harassment, and 1 substantiated allegation of resident-on-resident sexual harassment.

**115.387 (e)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency obtains incident-based and aggregated data from every private facility with which it contracts for the confinement of its residents.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 13, section K.1.d states DCS/Agencies also obtain incident-based and aggregated data from every contract agency with which it contracts for the confinement of its children/youth.

The auditor reviewed the Tennessee Department of Children's Services website at <https://www.tn.gov/dcs/program-areas/juvenile-justice/prea.html> and observed aggregated data from contracted private facilities is included in the in the Tennessee Department of Children's Services Annual PREA Report (FY23) dated

	<p>January 2024 and private facility annual reports.</p> <p><b>115.387 (f)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency was not requested to provide the Department of Justice with data from the previous calendar year upon request.</p> <p>State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 13, section K.1.e states upon request, DCS/Agencies provide all such data from the previous calendar year to the Department of Justice no later than June 30th.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding data collection. No corrective action is required.</p>
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<b>115.388</b>	<b>Data review for corrective action</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. Tennessee Department of Children’s Services Annual PREA Report (FY23) dated January 2024</li> <li>3. Tennessee Department of Children’s Services Website</li> <li>4. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> </ol> <p><b>Interviews:</b></p> <ol style="list-style-type: none"> <li>1. Agency Head (Executive Director)</li> <li>2. PREA Coordinator</li> <li>3. PREA Compliance Manager</li> </ol> <p><b>Findings (by provision):</b></p> <p><b>115.388 (a)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency reviews data collected and aggregated pursuant to §115.387 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, and training, including:</p> <ol style="list-style-type: none"> <li>1. Identifying problem areas;</li> </ol>

2. Taking corrective action on an ongoing basis; and
3. Preparing an annual report of its findings from its data review and any corrective actions for each facility, as well as the agency as a whole.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 13, section K.2.a states DCS/Agencies review data collected and aggregated pursuant to PREA Standards § 115.387 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including:

- Identifying problem areas;
- Taking corrective action on an ongoing basis; and
- Preparing an annual report of its findings and corrective actions for each facility, as well as DCS/Agencies as a whole.

The Executive Director and PREA Coordinator confirmed the agency reviews data collected and aggregated pursuant to § 115.387 in order to assess, and improve the effectiveness, of its sexual abuse and prevention, detection, and response policies, and training.

The PREA Compliance Manager confirmed data is provided to the agency.

The auditor reviewed the Tennessee Department of Children's Services website at <https://www.tn.gov/dcs/program-areas/juvenile-justice/prea.html> and observed the published annual report is inclusive of the standard provision requirements.

**115.388 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: The annual report includes a comparison of the current year's data and corrective actions with those from prior years. The annual report provides an assessment of the agency's progress in addressing sexual abuse.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 13, section K.2.b states the report includes a comparison of the current year's data and corrective actions with those from prior years and provides an assessment of the agency's progress in addressing sexual abuse.

The auditor reviewed the Tennessee Department of Children's Services Annual PREA Report (FY23) dated January 2024 and observed the report includes a comparison of the current year's data and corrective actions with those from the previous year. Additionally, the auditor observed the report provides an assessment of the agency's progress in addressing sexual abuse.

**115.388 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency makes its annual report readily available to the public at least annually through its website. The annual reports are approved by the agency head.

State of Tennessee Department of Children's Services Administrative Policies and

	<p>Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 14, section K.2.c states DCS/Agencies reports are approved by the DCS Commissioner/designee and contract agency Director and made readily available to the public through its website or through other means, as applicable.</p> <p>The auditor reviewed the Tennessee Department of Children’s Services website at <a href="https://www.tn.gov/dcs/program-areas/juvenile-justice/prea.html">https://www.tn.gov/dcs/program-areas/juvenile-justice/prea.html</a> and observed the published annual report is approved by the Tennessee Department of Children’s Services Commissioner.</p> <p><b>115.388 (d)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: When the agency redacts material from an annual report for publication the redactions are limited to specific materials where publication would present a clear and specific threat to the safety and security of the facility. The agency indicates the nature of material redacted.</p> <p>State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 14, section K.2.d states DCS/Agencies may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility, but the nature of the material redacted is indicated.</p> <p>The auditor reviewed the Tennessee Department of Children’s Services Annual PREA Report (FY23) dated January 2024 and observed no personal identifying information.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding data review for corrective action. No corrective action is required.</p>
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<b>115.389</b>	<b>Data storage, publication, and destruction</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <p><b>Documents:</b></p> <ol style="list-style-type: none"> <li>1. State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024</li> <li>2. Tennessee Department of Children’s Services Annual PREA Report (FY23) dated January 2024</li> </ol>

3. Tennessee Department of Children's Services Website
4. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)

**Interview:**

PREA Coordinator

**Findings (by provision):**

**115.389 (a)** Wilder Youth Development Center Pre-Audit Questionnaire response: The agency ensures that incident-based and aggregate data are securely retained.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 14, section K.3.a, states DCS/Agencies ensure that data collected pursuant to PREA Standards § 115.387 are securely retained.

The PREA Coordinator confirmed the agency reviews data collected and aggregated in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, and training. The agency ensures that data collected is securely retained. All Special Investigation Unit reports are uploaded to the Tennessee Family & Child Tracking System (TFACTS) and is available based on access level.

**115.389 (b)** Wilder Youth Development Center Pre-Audit Questionnaire response: Agency 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.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 14, section K.3.b, states DCS/Agencies make all aggregated sexual abuse data from facilities under its direct control and contract agency facilities with which it contracts, readily available to the public at least annually through its website or through other means, as applicable.

The auditor observed the 2023 annual report is published on the agency's website at: <https://www.tn.gov/dcs/program-areas/juvenile-justice/prea.html>.

**115.389 (c)** Wilder Youth Development Center Pre-Audit Questionnaire response: Before making aggregated sexual abuse data publicly available, the agency removes all personal identifiers.

State of Tennessee Department of Children's Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 14, section K.3.c, states before making aggregated sexual abuse data publicly available, DCS/Agencies removes all personal identifiers.

	<p>The auditor reviewed the published annual report and observed personal identifiers are not included in the report.</p> <p><b>115.389 (d)</b> Wilder Youth Development Center Pre-Audit Questionnaire response: The agency maintains sexual abuse data sexual abuse data collected pursuant to §115.387 for at least 10 years after the date of initial collection, unless Federal, State, or local law requires otherwise.</p> <p>State of Tennessee Department of Children’s Services Administrative Policies and Procedures: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse and Sexual Harassment Incidents and Prison Rape Elimination Act (PREA) dated May 7, 2024, page 14, section K.3.d, states DCS/Agencies maintain sexual abuse data collected pursuant to PREA Standards § 115.387 for at least ten (10) years after the date of its initial collection unless Federal, State, or local law requires otherwise.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the facility is fully compliant with this standard regarding data storage, publication, and destruction. No corrective action is required.</p>
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<b>115.401</b>	<b>Frequency and scope of audits</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <ol style="list-style-type: none"><li>1. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li><li>2. Interviews</li><li>3. Research</li><li>4. Policy Review</li><li>5. Document Review</li><li>6. Observations during onsite review of facility</li></ol> <p><b>Findings:</b> During the three-year period starting on August 20, 2013, and the current audit cycle, the Tennessee Department of Children’s Services ensured that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once. Also, one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited.</p> <p>The auditor was given access to, and the ability to observe, all areas of Wilder Youth Development Center. The auditor was permitted to conduct private interviews with residents at the facility. The auditor sent an audit notice to the facility six weeks prior to the on-site audit. The audit notices were posted 3 days late. The facility confirmed the audit notice was posted by emailing pictures of the posted audit notices. The audit notice contained contact information for the auditor. The</p>

	<p>residents were permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel. No confidential information or correspondence was received.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the agency and facility is fully compliant with this standard regarding frequency and scope of audits. No corrective action is required.</p>
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<b>115.403</b>	<b>Audit contents and findings</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>The following evidence was analyzed in making the compliance determination:</b></p> <ol style="list-style-type: none"> <li>1. Wilder Youth Development Center PREA Audit: Pre-Audit Questionnaire (Juvenile Facilities)</li> <li>2. Policy Review</li> <li>3. Documentation Review</li> <li>4. Interviews</li> <li>5. Observations during onsite review of facility</li> </ol> <p><b>Findings:</b> All final Tennessee Department of Children’s Services audit reports are published on the agency’s website at: <a href="https://www.tn.gov/dcs/program-areas/juvenile-justice/prea.html">https://www.tn.gov/dcs/program-areas/juvenile-justice/prea.html</a>. The auditor observed published Wilder Youth Development Center PREA audit reports for 2015, 2018, and 2021.</p> <p><b>Conclusion:</b> Based upon the review and analysis of the available evidence, the auditor has determined the agency and facility is fully compliant with this standard regarding audit contents and findings. No corrective action is required.</p>

<b>Appendix: Provision Findings</b>		
<b>115.311 (a)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment?	yes
	Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment?	yes
<b>115.311 (b)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	Has the agency employed or designated an agency-wide PREA Coordinator?	yes
	Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
	Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities?	yes
<b>115.311 (c)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.)	yes
	Does the PREA compliance manager have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.)	yes
<b>115.312 (a)</b>	<b>Contracting with other entities for the confinement of residents</b>	
	If this agency is public and it contracts for the confinement of its residents with private agencies or other entities including other government agencies, has the agency included the entity's obligation to adopt and comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of residents.)	yes
<b>115.312 (b)</b>	<b>Contracting with other entities for the confinement of residents</b>	

	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of residents OR the response to 115.312(a)-1 is "NO".)	yes
<b>115.313 (a)</b>	<b>Supervision and monitoring</b>	
	Does the agency ensure that each facility has developed a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect residents against sexual abuse?	yes
	Does the agency ensure that each facility has implemented a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect residents against sexual abuse?	yes
	Does the agency ensure that each facility has documented a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect residents against sexual abuse?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: Generally accepted juvenile detention and correctional/secure residential practices?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: Any judicial findings of inadequacy?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: Any findings of inadequacy from Federal investigative agencies?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate	yes

	staffing levels and determining the need for video monitoring: Any findings of inadequacy from internal or external oversight bodies?	
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: All components of the facility's physical plant (including "blind-spots" or areas where staff or residents may be isolated)?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: The composition of the resident population?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: The number and placement of supervisory staff?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: Institution programs occurring on a particular shift?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: Any applicable State or local laws, regulations, or standards?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: Any other relevant factors?	yes
<b>115.313 (b)</b>	<b>Supervision and monitoring</b>	
	Does the agency comply with the staffing plan except during limited and discrete exigent circumstances?	yes
	In circumstances where the staffing plan is not complied with, does the facility fully document all deviations from the plan? (N/A if no deviations from staffing plan.)	yes
<b>115.313 (c)</b>	<b>Supervision and monitoring</b>	
	Does the facility maintain staff ratios of a minimum of 1:8 during resident waking hours, except during limited and discrete exigent circumstances? (N/A only until October 1, 2017.)	yes

	Does the facility maintain staff ratios of a minimum of 1:16 during resident sleeping hours, except during limited and discrete exigent circumstances? (N/A only until October 1, 2017.)	yes
	Does the facility fully document any limited and discrete exigent circumstances during which the facility did not maintain staff ratios? (N/A only until October 1, 2017.)	yes
	Does the facility ensure only security staff are included when calculating these ratios? (N/A only until October 1, 2017.)	yes
	Is the facility obligated by law, regulation, or judicial consent decree to maintain the staffing ratios set forth in this paragraph?	yes
<b>115.313 (d)</b>	<b>Supervision and monitoring</b>	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: Prevailing staffing patterns?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes
<b>115.313 (e)</b>	<b>Supervision and monitoring</b>	
	Has the facility implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment? (N/A for non-secure facilities )	yes
	Is this policy and practice implemented for night shifts as well as day shifts? (N/A for non-secure facilities )	yes
	Does the facility have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational	yes

	functions of the facility? (N/A for non-secure facilities )	
<b>115.315 (a)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes
<b>115.315 (b)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from conducting cross-gender pat-down searches in non-exigent circumstances?	yes
<b>115.315 (c)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility document and justify all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches?	yes
<b>115.315 (d)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility implement policies and procedures that enable residents to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering a resident housing unit?	yes
	In facilities (such as group homes) that do not contain discrete housing units, does the facility require staff of the opposite gender to announce their presence when entering an area where residents are likely to be showering, performing bodily functions, or changing clothing? (N/A for facilities with discrete housing units)	na
<b>115.315 (e)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from searching or physically examining transgender or intersex residents for the sole purpose of determining the resident's genital status?	yes
	If a resident's genital status is unknown, does the facility	yes

	determine genital status during conversations with the resident, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	
<b>115.315 (f)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex residents in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
<b>115.316 (a)</b>	<b>Residents with disabilities and residents who are limited English proficient</b>	
	Does the agency take appropriate steps to ensure that residents with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Residents who are deaf or hard of hearing?	yes
	Does the agency take appropriate steps to ensure that residents with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Residents who are blind or have low vision?	yes
	Does the agency take appropriate steps to ensure that residents with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Residents who have intellectual disabilities?	yes
	Does the agency take appropriate steps to ensure that residents with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Residents who have psychiatric disabilities?	yes
	Does the agency take appropriate steps to ensure that residents with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including:	yes

	Residents who have speech disabilities?	
	Does the agency take appropriate steps to ensure that residents with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Other? (if "other," please explain in overall determination notes.)	yes
	Do such steps include, when necessary, ensuring effective communication with residents who are deaf or hard of hearing?	yes
	Do such steps include, when necessary, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with residents with disabilities including residents who: Have intellectual disabilities?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with residents with disabilities including residents who: Have limited reading skills?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with residents with disabilities including residents who: Who are blind or have low vision?	yes
<b>115.316 (b)</b>	<b>Residents with disabilities and residents who are limited English proficient</b>	
	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to residents who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
<b>115.316 (c)</b>	<b>Residents with disabilities and residents who are limited English proficient</b>	
	Does the agency always refrain from relying on resident interpreters, resident readers, or other types of resident assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the resident's	yes

	safety, the performance of first-response duties under §115.364, or the investigation of the resident's allegations?	
<b>115.317 (a)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with residents who: Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with residents who: Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with residents who: Has been civilly or administratively adjudicated to have engaged in the activity described in the bullet immediately above?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with residents who: Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with residents who: Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with residents who: Has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
<b>115.317 (b)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with residents?	yes
<b>115.317</b>	<b>Hiring and promotion decisions</b>	

<b>(c)</b>		
	Before hiring new employees who may have contact with residents, does the agency: Perform a criminal background records check?	yes
	Before hiring new employees who may have contact with residents, does the agency: Consult any child abuse registry maintained by the State or locality in which the employee would work?	yes
	Before hiring new employees who may have contact with residents, does the agency: Consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
<b>115.317 (d)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with residents?	yes
	Does the agency consult applicable child abuse registries before enlisting the services of any contractor who may have contact with residents?	yes
<b>115.317 (e)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with residents or have in place a system for otherwise capturing such information for current employees?	yes
<b>115.317 (f)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency ask all applicants and employees who may have contact with residents directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with residents directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current	yes

	employees?	
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
<b>115.317 (g)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
<b>115.317 (h)</b>	<b>Hiring and promotion decisions</b>	
	Unless prohibited by law, does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
<b>115.318 (a)</b>	<b>Upgrades to facilities and technologies</b>	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect residents from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	na
<b>115.318 (b)</b>	<b>Upgrades to facilities and technologies</b>	
	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect residents from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	yes
<b>115.321 (a)</b>	<b>Evidence protocol and forensic medical examinations</b>	

	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
<b>115.321 (b)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Is this protocol developmentally appropriate for youth? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. )	yes
<b>115.321 (c)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency offer all residents who experience sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
<b>115.321 (d)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes

	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member?	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
<b>115.321 (e)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
<b>115.321 (f)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating entity follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency is responsible for investigating allegations of sexual abuse.)	yes
<b>115.321 (h)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (Check N/A if agency attempts to make a victim advocate from a rape crisis center available to victims per 115.321(d) above.)	yes
<b>115.322 (a)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes

<b>115.322 (b)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	Does the agency have a policy in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes
<b>115.322 (c)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	If a separate entity is responsible for conducting criminal investigations, does such publication describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.321(a))	yes
<b>115.331 (a)</b>	<b>Employee training</b>	
	Does the agency train all employees who may have contact with residents on: Its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with residents on: How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with residents on: Residents' right to be free from sexual abuse and sexual harassment	yes
	Does the agency train all employees who may have contact with residents on: The right of residents and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with residents on: The dynamics of sexual abuse and sexual harassment in juvenile facilities?	yes
	Does the agency train all employees who may have contact with residents on: The common reactions of juvenile victims of sexual abuse and sexual harassment?	yes

	Does the agency train all employees who may have contact with residents on: How to detect and respond to signs of threatened and actual sexual abuse and how to distinguish between consensual sexual contact and sexual abuse between residents?	yes
	Does the agency train all employees who may have contact with residents on: How to avoid inappropriate relationships with residents?	yes
	Does the agency train all employees who may have contact with residents on: How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming residents?	yes
	Does the agency train all employees who may have contact with residents on: How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
	Does the agency train all employees who may have contact with residents on: Relevant laws regarding the applicable age of consent?	yes
<b>115.331 (b)</b>	<b>Employee training</b>	
	Is such training tailored to the unique needs and attributes of residents of juvenile facilities?	yes
	Is such training tailored to the gender of the residents at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male residents to a facility that houses only female residents, or vice versa?	yes
<b>115.331 (c)</b>	<b>Employee training</b>	
	Have all current employees who may have contact with residents received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes

<b>115.331 (d)</b>	<b>Employee training</b>	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
<b>115.332 (a)</b>	<b>Volunteer and contractor training</b>	
	Has the agency ensured that all volunteers and contractors who have contact with residents have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
<b>115.332 (b)</b>	<b>Volunteer and contractor training</b>	
	Have all volunteers and contractors who have contact with residents been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with residents)?	yes
<b>115.332 (c)</b>	<b>Volunteer and contractor training</b>	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
<b>115.333 (a)</b>	<b>Resident education</b>	
	During intake, do residents receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do residents receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes
	Is this information presented in an age-appropriate fashion?	yes
<b>115.333 (b)</b>	<b>Resident education</b>	
	Within 10 days of intake, does the agency provide age-appropriate	yes

	comprehensive education to residents either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	
	Within 10 days of intake, does the agency provide age-appropriate comprehensive education to residents either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 10 days of intake, does the agency provide age-appropriate comprehensive education to residents either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes
<b>115.333 (c)</b>	<b>Resident education</b>	
	Have all residents received such education?	yes
	Do residents receive education upon transfer to a different facility to the extent that the policies and procedures of the resident's new facility differ from those of the previous facility?	yes
<b>115.333 (d)</b>	<b>Resident education</b>	
	Does the agency provide resident education in formats accessible to all residents including those who: Are limited English proficient?	yes
	Does the agency provide resident education in formats accessible to all residents including those who: Are deaf?	yes
	Does the agency provide resident education in formats accessible to all residents including those who: Are visually impaired?	yes
	Does the agency provide resident education in formats accessible to all residents including those who: Are otherwise disabled?	yes
	Does the agency provide resident education in formats accessible to all residents including those who: Have limited reading skills?	yes
<b>115.333 (e)</b>	<b>Resident education</b>	
	Does the agency maintain documentation of resident participation in these education sessions?	yes
<b>115.333 (f)</b>	<b>Resident education</b>	

	In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to residents through posters, resident handbooks, or other written formats?	yes
<b>115.334 (a)</b>	<b>Specialized training: Investigations</b>	
	In addition to the general training provided to all employees pursuant to §115.331, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.321(a).)	yes
<b>115.334 (b)</b>	<b>Specialized training: Investigations</b>	
	Does this specialized training include: Techniques for interviewing juvenile sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.321(a).)	yes
	Does this specialized training include: Proper use of Miranda and Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.321(a).)	yes
	Does this specialized training include: Sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.321(a).)	yes
	Does this specialized training include: The criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.321(a).)	yes
<b>115.334 (c)</b>	<b>Specialized training: Investigations</b>	
	Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.321(a).)	yes

<b>115.335 (a)</b>	<b>Specialized training: Medical and mental health care</b>	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How to respond effectively and professionally to juvenile victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
<b>115.335 (b)</b>	<b>Specialized training: Medical and mental health care</b>	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams or the agency does not employ medical staff.)	na
<b>115.335 (c)</b>	<b>Specialized training: Medical and mental health care</b>	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes

<b>115.335 (d)</b>	<b>Specialized training: Medical and mental health care</b>	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.331? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Do medical and mental health care practitioners contracted by and volunteering for the agency also receive training mandated for contractors and volunteers by §115.332? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	yes
<b>115.341 (a)</b>	<b>Obtaining information from residents</b>	
	Within 72 hours of the resident's arrival at the facility, does the agency obtain and use information about each resident's personal history and behavior to reduce risk of sexual abuse by or upon a resident?	yes
	Does the agency also obtain this information periodically throughout a resident's confinement?	yes
<b>115.341 (b)</b>	<b>Obtaining information from residents</b>	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes
<b>115.341 (c)</b>	<b>Obtaining information from residents</b>	
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: Prior sexual victimization or abusiveness?	yes
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: Any gender nonconforming appearance or manner or identification as lesbian, gay, bisexual, transgender, or intersex, and whether the resident may therefore be vulnerable to sexual abuse?	yes
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: Current charges and offense history?	yes
	During these PREA screening assessments, at a minimum, does	yes

	the agency attempt to ascertain information about: Age?	
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: Level of emotional and cognitive development?	yes
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: Physical size and stature?	yes
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: Mental illness or mental disabilities?	yes
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: Intellectual or developmental disabilities?	yes
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: Physical disabilities?	yes
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: The resident's own perception of vulnerability?	yes
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: Any other specific information about individual residents that may indicate heightened needs for supervision, additional safety precautions, or separation from certain other residents?	yes
<b>115.341 (d)</b>	<b>Obtaining information from residents</b>	
	Is this information ascertained: Through conversations with the resident during the intake process and medical mental health screenings?	yes
	Is this information ascertained: During classification assessments?	yes
	Is this information ascertained: By reviewing court records, case files, facility behavioral records, and other relevant documentation from the resident's files?	yes
<b>115.341 (e)</b>	<b>Obtaining information from residents</b>	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked	yes

	pursuant to this standard in order to ensure that sensitive information is not exploited to the resident's detriment by staff or other residents?	
<b>115.342 (a)</b>	<b>Placement of residents</b>	
	Does the agency use all of the information obtained pursuant to § 115.341 and subsequently, with the goal of keeping all residents safe and free from sexual abuse, to make: Housing Assignments?	yes
	Does the agency use all of the information obtained pursuant to § 115.341 and subsequently, with the goal of keeping all residents safe and free from sexual abuse, to make: Bed assignments?	yes
	Does the agency use all of the information obtained pursuant to § 115.341 and subsequently, with the goal of keeping all residents safe and free from sexual abuse, to make: Work Assignments?	yes
	Does the agency use all of the information obtained pursuant to § 115.341 and subsequently, with the goal of keeping all residents safe and free from sexual abuse, to make: Education Assignments?	yes
	Does the agency use all of the information obtained pursuant to § 115.341 and subsequently, with the goal of keeping all residents safe and free from sexual abuse, to make: Program Assignments?	yes
<b>115.342 (b)</b>	<b>Placement of residents</b>	
	Are residents isolated from others only as a last resort when less restrictive measures are inadequate to keep them and other residents safe, and then only until an alternative means of keeping all residents safe can be arranged?	yes
	During any period of isolation, does the agency always refrain from denying residents daily large-muscle exercise?	yes
	During any period of isolation, does the agency always refrain from denying residents any legally required educational programming or special education services?	yes
	Do residents in isolation receive daily visits from a medical or mental health care clinician?	yes
	Do residents also have access to other programs and work opportunities to the extent possible?	yes

<b>115.342 (c)</b>	<b>Placement of residents</b>	
	Does the agency always refrain from placing: Lesbian, gay, and bisexual residents in particular housing, bed, or other assignments solely on the basis of such identification or status?	yes
	Does the agency always refrain from placing: Transgender residents in particular housing, bed, or other assignments solely on the basis of such identification or status?	yes
	Does the agency always refrain from placing: Intersex residents in particular housing, bed, or other assignments solely on the basis of such identification or status?	yes
	Does the agency always refrain from considering lesbian, gay, bisexual, transgender, or intersex identification or status as an indicator or likelihood of being sexually abusive?	yes
<b>115.342 (d)</b>	<b>Placement of residents</b>	
	When deciding whether to assign a transgender or intersex resident to a facility for male or female residents, does the agency consider on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns residents to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex residents, does the agency consider on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether a placement would present management or security problems?	yes
<b>115.342 (e)</b>	<b>Placement of residents</b>	
	Are placement and programming assignments for each transgender or intersex resident reassessed at least twice each year to review any threats to safety experienced by the resident?	yes
<b>115.342 (f)</b>	<b>Placement of residents</b>	
	Are each transgender or intersex resident's own views with respect to his or her own safety given serious consideration when	yes

	making facility and housing placement decisions and programming assignments?	
<b>115.342 (g)</b>	<b>Placement of residents</b>	
	Are transgender and intersex residents given the opportunity to shower separately from other residents?	yes
<b>115.342 (h)</b>	<b>Placement of residents</b>	
	If a resident is isolated pursuant to paragraph (b) of this section, does the facility clearly document: The basis for the facility's concern for the resident's safety? (N/A for h and i if facility doesn't use isolation?)	na
	If a resident is isolated pursuant to paragraph (b) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged? (N/A for h and i if facility doesn't use isolation?)	na
<b>115.342 (i)</b>	<b>Placement of residents</b>	
	In the case of each resident who is isolated as a last resort when less restrictive measures are inadequate to keep them and other residents safe, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes
<b>115.351 (a)</b>	<b>Resident reporting</b>	
	Does the agency provide multiple internal ways for residents to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for residents to privately report: 2. Retaliation by other residents or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for residents to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes
<b>115.351 (b)</b>	<b>Resident reporting</b>	
	Does the agency also provide at least one way for residents to report sexual abuse or sexual harassment to a public or private	yes

	entity or office that is not part of the agency?	
	Is that private entity or office able to receive and immediately forward resident reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the resident to remain anonymous upon request?	yes
	Are residents detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security to report sexual abuse or harassment?	yes
<b>115.351 (c)</b>	<b>Resident reporting</b>	
	Do staff members accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Do staff members promptly document any verbal reports of sexual abuse and sexual harassment?	yes
<b>115.351 (d)</b>	<b>Resident reporting</b>	
	Does the facility provide residents with access to tools necessary to make a written report?	yes
<b>115.351 (e)</b>	<b>Resident reporting</b>	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of residents?	yes
<b>115.352 (a)</b>	<b>Exhaustion of administrative remedies</b>	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address resident grievances regarding sexual abuse. This does not mean the agency is exempt simply because a resident does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	yes
<b>115.352 (b)</b>	<b>Exhaustion of administrative remedies</b>	

	Does the agency permit residents to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an resident to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
<b>115.352 (c)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency ensure that: A resident who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
<b>115.352 (d)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by residents in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency determines that the 90 day timeframe is insufficient to make an appropriate decision and claims an extension of time (the maximum allowable extension of time to respond is 70 days per 115.352(d)(3)) , does the agency notify the resident in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the resident does not receive a response within the time allotted for reply, including any properly noticed extension, may a resident consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes
<b>115.352 (e)</b>	<b>Exhaustion of administrative remedies</b>	

	Are third parties, including fellow residents, staff members, family members, attorneys, and outside advocates, permitted to assist residents in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of residents? (If a third party, other than a parent or legal guardian, files such a request on behalf of a resident, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the resident declines to have the request processed on his or her behalf, does the agency document the resident's decision? (N/A if agency is exempt from this standard.)	yes
	Is a parent or legal guardian of a juvenile allowed to file a grievance regarding allegations of sexual abuse, including appeals, on behalf of such juvenile? (N/A if agency is exempt from this standard.)	yes
	If a parent or legal guardian of a juvenile files a grievance (or an appeal) on behalf of a juvenile regarding allegations of sexual abuse, is it the case that those grievances are not conditioned upon the juvenile agreeing to have the request filed on his or her behalf? (N/A if agency is exempt from this standard.)	yes
<b>115.352 (f)</b>	<b>Exhaustion of administrative remedies</b>	
	Has the agency established procedures for the filing of an emergency grievance alleging that a resident is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging a resident is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes

	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	yes
	Does the initial response and final agency decision document the agency's determination whether the resident is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
<b>115.352 (g)</b>	<b>Exhaustion of administrative remedies</b>	
	If the agency disciplines a resident for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the resident filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes
<b>115.353 (a)</b>	<b>Resident access to outside confidential support services and legal representation</b>	
	Does the facility provide residents with access to outside victim advocates for emotional support services related to sexual abuse by providing, posting, or otherwise making accessible mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies?	yes
	Does the facility enable reasonable communication between residents and these organizations and agencies, in as confidential a manner as possible?	yes
<b>115.353 (b)</b>	<b>Resident access to outside confidential support services and legal representation</b>	
	Does the facility inform residents, prior to giving them access, of the extent to which such communications will be monitored and	yes

	the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	
<b>115.353 (c)</b>	<b>Resident access to outside confidential support services and legal representation</b>	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide residents with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes
<b>115.353 (d)</b>	<b>Resident access to outside confidential support services and legal representation</b>	
	Does the facility provide residents with reasonable and confidential access to their attorneys or other legal representation?	yes
	Does the facility provide residents with reasonable access to parents or legal guardians?	yes
<b>115.354 (a)</b>	<b>Third-party reporting</b>	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of a resident?	yes
<b>115.361 (a)</b>	<b>Staff and agency reporting duties</b>	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information they receive regarding retaliation against residents or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or	yes

	information they receive regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	
<b>115.361 (b)</b>	<b>Staff and agency reporting duties</b>	
	Does the agency require all staff to comply with any applicable mandatory child abuse reporting laws?	yes
<b>115.361 (c)</b>	<b>Staff and agency reporting duties</b>	
	Apart from reporting to designated supervisors or officials and designated State or local services agencies, are staff prohibited from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes
<b>115.361 (d)</b>	<b>Staff and agency reporting duties</b>	
	Are medical and mental health practitioners required to report sexual abuse to designated supervisors and officials pursuant to paragraph (a) of this section as well as to the designated State or local services agency where required by mandatory reporting laws?	yes
	Are medical and mental health practitioners required to inform residents of their duty to report, and the limitations of confidentiality, at the initiation of services?	yes
<b>115.361 (e)</b>	<b>Staff and agency reporting duties</b>	
	Upon receiving any allegation of sexual abuse, does the facility head or his or her designee promptly report the allegation to the appropriate office?	yes
	Upon receiving any allegation of sexual abuse, does the facility head or his or her designee promptly report the allegation to the alleged victim's parents or legal guardians unless the facility has official documentation showing the parents or legal guardians should not be notified?	yes
	If the alleged victim is under the guardianship of the child welfare system, does the facility head or his or her designee promptly report the allegation to the alleged victim's caseworker instead of	yes

	the parents or legal guardians? (N/A if the alleged victim is not under the guardianship of the child welfare system.)	
	If a juvenile court retains jurisdiction over the alleged victim, does the facility head or designee also report the allegation to the juvenile's attorney or other legal representative of record within 14 days of receiving the allegation?	yes
<b>115.361 (f)</b>	<b>Staff and agency reporting duties</b>	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes
<b>115.362 (a)</b>	<b>Agency protection duties</b>	
	When the agency learns that a resident is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the resident?	yes
<b>115.363 (a)</b>	<b>Reporting to other confinement facilities</b>	
	Upon receiving an allegation that a resident was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes
	Does the head of the facility that received the allegation also notify the appropriate investigative agency?	yes
<b>115.363 (b)</b>	<b>Reporting to other confinement facilities</b>	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes
<b>115.363 (c)</b>	<b>Reporting to other confinement facilities</b>	
	Does the agency document that it has provided such notification?	yes
<b>115.363 (d)</b>	<b>Reporting to other confinement facilities</b>	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in	yes

	accordance with these standards?	
<b>115.364 (a)</b>	<b>Staff first responder duties</b>	
	Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
<b>115.364 (b)</b>	<b>Staff first responder duties</b>	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
<b>115.365 (a)</b>	<b>Coordinated response</b>	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes
<b>115.366 (a)</b>	<b>Preservation of ability to protect residents from contact with abusers</b>	

	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with any residents pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes
<b>115.367 (a)</b>	<b>Agency protection against retaliation</b>	
	Has the agency established a policy to protect all residents and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
<b>115.367 (b)</b>	<b>Agency protection against retaliation</b>	
	Does the agency employ multiple protection measures for residents or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations, such as housing changes or transfers for resident victims or abusers, removal of alleged staff or resident abusers from contact with victims, and emotional support services?	yes
<b>115.367 (c)</b>	<b>Agency protection against retaliation</b>	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of residents or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by residents or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of residents who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by residents or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report	yes

	of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor: Any resident disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor: Resident housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor: Resident program changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor: Negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor: Reassignments of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes
<b>115.367 (d)</b>	<b>Agency protection against retaliation</b>	
	In the case of residents, does such monitoring also include periodic status checks?	yes
<b>115.367 (e)</b>	<b>Agency protection against retaliation</b>	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
<b>115.368 (a)</b>	<b>Post-allegation protective custody</b>	
	Is any and all use of segregated housing to protect a resident who is alleged to have suffered sexual abuse subject to the requirements of § 115.342?	yes

<b>115.371 (a)</b>	<b>Criminal and administrative agency investigations</b>	
	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency does not conduct any form of administrative or criminal investigations of sexual abuse or harassment. See 115.321(a).)	yes
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency does not conduct any form of administrative or criminal investigations of sexual abuse or harassment. See 115.321(a).)	yes
<b>115.371 (b)</b>	<b>Criminal and administrative agency investigations</b>	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations involving juvenile victims as required by 115.334?	yes
<b>115.371 (c)</b>	<b>Criminal and administrative agency investigations</b>	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes
<b>115.371 (d)</b>	<b>Criminal and administrative agency investigations</b>	
	Does the agency always refrain from terminating an investigation solely because the source of the allegation recants the allegation?	yes
<b>115.371 (e)</b>	<b>Criminal and administrative agency investigations</b>	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes
<b>115.371</b>	<b>Criminal and administrative agency investigations</b>	

<b>(f)</b>		
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as resident or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring a resident who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
<b>115.371 (g)</b>	<b>Criminal and administrative agency investigations</b>	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes
	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
<b>115.371 (h)</b>	<b>Criminal and administrative agency investigations</b>	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
<b>115.371 (i)</b>	<b>Criminal and administrative agency investigations</b>	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
<b>115.371 (j)</b>	<b>Criminal and administrative agency investigations</b>	
	Does the agency retain all written reports referenced in 115.371(g) and (h) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years unless the abuse was committed by a juvenile resident and applicable law requires a shorter period of retention?	yes
<b>115.371 (k)</b>	<b>Criminal and administrative agency investigations</b>	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the facility or agency	yes

	does not provide a basis for terminating an investigation?	
<b>115.371 (m)</b>	<b>Criminal and administrative agency investigations</b>	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.321(a).)	yes
<b>115.372 (a)</b>	<b>Evidentiary standard for administrative investigations</b>	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
<b>115.373 (a)</b>	<b>Reporting to residents</b>	
	Following an investigation into a resident's allegation of sexual abuse suffered in the facility, does the agency inform the resident as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes
<b>115.373 (b)</b>	<b>Reporting to residents</b>	
	If the agency did not conduct the investigation into a resident's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the resident? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	yes
<b>115.373 (c)</b>	<b>Reporting to residents</b>	
	Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the resident's unit?	yes
	Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency	yes

	has determined that the allegation is unfounded or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	
	Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes
<b>115.373 (d)</b>	<b>Reporting to residents</b>	
	Following a resident's allegation that he or she has been sexually abused by another resident, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following a resident's allegation that he or she has been sexually abused by another resident, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	yes
<b>115.373 (e)</b>	<b>Reporting to residents</b>	
	Does the agency document all such notifications or attempted notifications?	yes
<b>115.376 (a)</b>	<b>Disciplinary sanctions for staff</b>	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes

<b>115.376 (b)</b>	<b>Disciplinary sanctions for staff</b>	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes
<b>115.376 (c)</b>	<b>Disciplinary sanctions for staff</b>	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes
<b>115.376 (d)</b>	<b>Disciplinary sanctions for staff</b>	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies, unless the activity was clearly not criminal?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes
<b>115.377 (a)</b>	<b>Corrective action for contractors and volunteers</b>	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with residents?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
<b>115.377 (b)</b>	<b>Corrective action for contractors and volunteers</b>	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with residents?	yes

<b>115.378 (a)</b>	<b>Interventions and disciplinary sanctions for residents</b>	
	Following an administrative finding that a resident engaged in resident-on-resident sexual abuse, or following a criminal finding of guilt for resident-on-resident sexual abuse, may residents be subject to disciplinary sanctions only pursuant to a formal disciplinary process?	yes
<b>115.378 (b)</b>	<b>Interventions and disciplinary sanctions for residents</b>	
	Are disciplinary sanctions commensurate with the nature and circumstances of the abuse committed, the resident's disciplinary history, and the sanctions imposed for comparable offenses by other residents with similar histories?	yes
	In the event a disciplinary sanction results in the isolation of a resident, does the agency ensure the resident is not denied daily large-muscle exercise?	yes
	In the event a disciplinary sanction results in the isolation of a resident, does the agency ensure the resident is not denied access to any legally required educational programming or special education services?	yes
	In the event a disciplinary sanction results in the isolation of a resident, does the agency ensure the resident receives daily visits from a medical or mental health care clinician?	yes
	In the event a disciplinary sanction results in the isolation of a resident, does the resident also have access to other programs and work opportunities to the extent possible?	yes
<b>115.378 (c)</b>	<b>Interventions and disciplinary sanctions for residents</b>	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether a resident's mental disabilities or mental illness contributed to his or her behavior?	yes
<b>115.378 (d)</b>	<b>Interventions and disciplinary sanctions for residents</b>	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to offer the offending resident participation in such interventions?	yes

	If the agency requires participation in such interventions as a condition of access to any rewards-based behavior management system or other behavior-based incentives, does it always refrain from requiring such participation as a condition to accessing general programming or education?	yes
<b>115.378 (e)</b>	<b>Interventions and disciplinary sanctions for residents</b>	
	Does the agency discipline a resident for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes
<b>115.378 (f)</b>	<b>Interventions and disciplinary sanctions for residents</b>	
	For the purpose of disciplinary action, does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation?	yes
<b>115.378 (g)</b>	<b>Interventions and disciplinary sanctions for residents</b>	
	Does the agency always refrain from considering non-coercive sexual activity between residents to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between residents.)	yes
<b>115.381 (a)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.341 indicates that a resident has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the resident is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening?	yes
<b>115.381 (b)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.341 indicates that a resident has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the resident is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening?	yes
<b>115.381 (c)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	

	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes
<b>115.381 (d)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	Do medical and mental health practitioners obtain informed consent from residents before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the resident is under the age of 18?	yes
<b>115.382 (a)</b>	<b>Access to emergency medical and mental health services</b>	
	Do resident victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes
<b>115.382 (b)</b>	<b>Access to emergency medical and mental health services</b>	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do staff first responders take preliminary steps to protect the victim pursuant to § 115.362?	yes
	Do staff first responders immediately notify the appropriate medical and mental health practitioners?	yes
<b>115.382 (c)</b>	<b>Access to emergency medical and mental health services</b>	
	Are resident victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes
<b>115.382 (d)</b>	<b>Access to emergency medical and mental health services</b>	
	Are treatment services provided to the victim without financial	yes

	cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	
<b>115.383 (a)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all residents who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
<b>115.383 (b)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes
<b>115.383 (c)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
<b>115.383 (d)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are resident victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if all-male facility.)	na
<b>115.383 (e)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	If pregnancy results from the conduct described in paragraph § 115.383(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if all-male facility.)	na
<b>115.383 (f)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are resident victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
<b>115.383 (g)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or	yes

	cooperates with any investigation arising out of the incident?	
<b>115.383 (h)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility attempt to conduct a mental health evaluation of all known resident-on-resident abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners?	yes
<b>115.386 (a)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes
<b>115.386 (b)</b>	<b>Sexual abuse incident reviews</b>	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
<b>115.386 (c)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes
<b>115.386 (d)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes

	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.386(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
<b>115.386 (e)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
<b>115.387 (a)</b>	<b>Data collection</b>	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
<b>115.387 (b)</b>	<b>Data collection</b>	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
<b>115.387 (c)</b>	<b>Data collection</b>	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes
<b>115.387 (d)</b>	<b>Data collection</b>	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
<b>115.387 (e)</b>	<b>Data collection</b>	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its residents? (N/A if agency does not contract for	yes

	the confinement of its residents.)	
<b>115.387 (f)</b>	<b>Data collection</b>	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	na
<b>115.388 (a)</b>	<b>Data review for corrective action</b>	
	Does the agency review data collected and aggregated pursuant to § 115.387 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.387 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.387 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes
<b>115.388 (b)</b>	<b>Data review for corrective action</b>	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
<b>115.388 (c)</b>	<b>Data review for corrective action</b>	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes
<b>115.388 (d)</b>	<b>Data review for corrective action</b>	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when	yes

	publication would present a clear and specific threat to the safety and security of a facility?	
<b>115.389 (a)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency ensure that data collected pursuant to § 115.387 are securely retained?	yes
<b>115.389 (b)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
<b>115.389 (c)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
<b>115.389 (d)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency maintain sexual abuse data collected pursuant to § 115.387 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
<b>115.401 (a)</b>	<b>Frequency and scope of audits</b>	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	yes
<b>115.401 (b)</b>	<b>Frequency and scope of audits</b>	
	Is this the first year of the current audit cycle? (Note: a "no" response does not impact overall compliance with this standard.)	no
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	yes

	If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is not the third year of the current audit cycle.)	na
<b>115.401 (h)</b>	<b>Frequency and scope of audits</b>	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes
<b>115.401 (i)</b>	<b>Frequency and scope of audits</b>	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes
<b>115.401 (m)</b>	<b>Frequency and scope of audits</b>	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes
<b>115.401 (n)</b>	<b>Frequency and scope of audits</b>	
	Were inmates, residents, and detainees permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel?	yes
<b>115.403 (f)</b>	<b>Audit contents and findings</b>	
	The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or, in the case of single facility agencies, there has never been a Final Audit Report issued.)	yes