

**Prison Rape Elimination Act (PREA) Audit Report
Community Confinement Facilities**

Final Report

Date of Report: January 18, 2022

Auditor Information

Name: Brian D. Bivens	Email: briandbivens@gmail.com
Company Name: Brian D. Bivens and Associates	
Mailing Address: P.O. Box 51787	City, State, Zip: Knoxville, TN 37950
Telephone: 865-789-1037	Date of Facility Visit: December 8, 2021

Agency Information

Name of Agency: Bluegrass Career Development Center		Governing Authority or Parent Agency (If Applicable): Bluegrass Regional Recycling Corporation	
		City, State, Zip: Richmond, KY 40475	
Mailing Address: 549 Recycle Drive		City, State, Zip: Richmond, KY 40203	
The Agency Is:	<input type="checkbox"/> Military	<input type="checkbox"/> Private for Profit	<input checked="" type="checkbox"/> Private not for Profit
<input type="checkbox"/> Municipal	<input type="checkbox"/> County	<input type="checkbox"/> State	<input type="checkbox"/> Federal
Agency Website with PREA Information: Bluegrass Regional Recycling Corporation (www.thebrrc.com)			

Agency Chief Executive Officer

Name: Drew Wiard	
Email: cwiard@thebrrc.com	Telephone: 859-626-9117

Agency-Wide PREA Coordinator

Name: Dewayne Weaver	
Email: weaver@qx.net	Telephone: 859-626-9120
PREA Coordinator Reports to: Director	The number of Compliance Coordinators who report to the PREA Coordinator: 0

Facility Information

Name of Facility: Bluegrass Career Development Center

Physical Address: 549 Recycle Drive

City, State, Zip: Richmond, KY 40275

Mailing Address (if different from above):
Same

City, State, Zip:

The Facility Is:

Military

Private for Profit

Private not for Profit

Municipal

County

State

Federal

Facility Website with PREA Information:

Has the facility been accredited within the past 3 years? Yes No PREA 8-7-2018

If the facility has been accredited within the past 3 years, select the accrediting organization(s) – select all that apply (N/A if the facility has not been accredited within the past 3 years):

ACA

NCCHC

CALEA

Other (please name or describe: Kentucky Department of Corrections)

N/A

If the facility has completed any internal or external audits other than those that resulted in accreditation, please describe:
N/A

Facility Director

Name: Darrell Neace

Email: neace@qx.net

Telephone: 859-626-9120

Facility PREA Compliance Coordinator

Name: Dewayne Weaver

Email: weaver@qx.net

Telephone: 859-626-9120

Facility Health Service Administrator

Name: Timothy Poynter

Email:

Telephone: 606-875-7317

Facility Characteristics

Designated Facility Capacity:	152	
Current Population of Facility:	48	
Average daily population for the past 12 months:	30	
Has the facility been overcapacity at any point in the past 12 months?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Which population(s) does the facility hold?	<input type="checkbox"/> Females <input checked="" type="checkbox"/> Males <input type="checkbox"/> Both Females and Males	
The age range of population:	18-Up	
Average length of stay or time under supervision	Up to 24 Months	
Facility security levels/Client custody levels	Community	
Number of clients admitted to the facility during the past 12 months	399	
The number of clients admitted to the facility during the past 12 months whose length of stay in the facility was for <i>72 hours or more</i> :	391	
The number of clients admitted to the facility during the past 12 months whose length of stay in the facility was for <i>30 days or more</i> :	63	
Does the audited facility hold clients for one or more other agencies (e.g., State correctional agency, U.S. Marshals Service, Bureau of Prisons, U.S. Immigration and Customs Enforcement)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>Select all other agencies for which the audited facility holds clients: Select all that apply (N/A if the audited facility does not hold clients for any other agency or agencies):</p>	<input type="checkbox"/> Federal Bureau of Prisons <input type="checkbox"/> U.S. Marshals Service <input type="checkbox"/> U.S. Immigration and Customs Enforcement <input type="checkbox"/> Bureau of Indian Affairs <input type="checkbox"/> U.S. Military branch <input checked="" type="checkbox"/> State or Territorial correctional agency <input type="checkbox"/> County correctional or detention agency <input type="checkbox"/> Judicial district correctional or detention facility <input type="checkbox"/> City or municipal correctional or detention facility (<input type="checkbox"/> Private corrections or detention provider <input type="checkbox"/> Other - please name or describe: <input type="checkbox"/> N/A	
The number of staff currently employed by the facility who may have contact with clients:	8	
The number of staff hired by the facility during the past 12 months who may have contact with clients:	8	

The number of contracts in the past 12 months for services with contractors who may have contact with clients:	0
The number of individual contractors who have contact with clients, currently authorized to enter the facility:	0
The number of volunteers who have contact with clients, currently authorized to enter the facility:	0
Physical Plant	
<p>The number of buildings:</p> <p>Auditor should count all buildings that are part of the facility, whether clients are formally allowed to enter them or not. In situations where temporary structures have been erected (e.g., tents) the auditor should use their discretion to determine whether to include the structure in the overall count of buildings. As a general rule, if a temporary structure is regularly or routinely used to hold or house clients, or if the temporary structure is used to house or support operational functions for more than a short period of time (e.g., an emergency situation), it should be included in the overall count of buildings.</p>	1
<p>Number of Client housing units:</p> <p>Enter 0 if the facility does not have discrete housing units. DOJ PREA Working Group FAQ on the definition of a housing unit: How is a "housing unit" defined for the purposes of the PREA Standards? The question has been raised in particular as it relates to facilities that have adjacent or interconnected units. The most common concept of a housing unit is architectural. The generally agreed-upon definition is a space that is enclosed by physical barriers accessed through one or more doors of various types, including commercial-grade swing doors, steel sliding doors, interlocking sally port doors, etc. In addition to the primary entrance and exit, additional doors are often included to meet life safety codes. The unit contains sleeping space, sanitary facilities (including toilets, lavatories, and showers), and a dayroom or leisure space in differing configurations. Many facilities are designed with modules or pods clustered around a control room. This multiple-pod design provides the facility with certain staff efficiencies and economies of scale. At the same time, the design affords the flexibility to separately house clients of differing security levels, or who are grouped by some other operational or service scheme. Generally, the control room is enclosed by security glass, and in some cases, this allows clients to see into neighboring pods. However, observation from one unit to another is usually limited by angled site lines. In some cases, the facility has prevented this entirely by installing one-way glass. Both the architectural design and functional use of these multiple pods indicate that they are managed as distinct housing units.</p>	2
Number of single Client cells, rooms, or other enclosures:	0
Number of multiple occupancy cells, rooms, or other enclosures:	0
Number of open bay/dorm housing units:	2
Does the facility have a video monitoring system, electronic surveillance system, or other monitoring technology (e.g. cameras, etc.)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has the facility installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology in the past 12 months?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Medical and Mental Health Services and Forensic Medical Exams

Are medical services provided on-site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are mental health services provided on-site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Where are sexual assault forensic medical exams provided? Select all that apply.	<input type="checkbox"/> On-site <input checked="" type="checkbox"/> Local hospital/clinic <input type="checkbox"/> Rape Crisis Center <input type="checkbox"/> Other (please name or describe:

Investigations

Criminal Investigations

Number of investigators employed by the agency and/or facility who are responsible for conducting CRIMINAL investigations into allegations of sexual abuse or sexual harassment:	2
When the facility received allegations of sexual abuse or sexual harassment (whether staff-on-Client or Client-on-Client), CRIMINAL INVESTIGATIONS are conducted by: Select all that apply.	<input type="checkbox"/> Facility investigators <input type="checkbox"/> Agency investigators <input checked="" type="checkbox"/> An external investigative entity
Select all external entities responsible for CRIMINAL INVESTIGATIONS : Select all that apply (N/A if no external entities are responsible for criminal investigations)	<input type="checkbox"/> Local police department <input type="checkbox"/> Local sheriff's department <input checked="" type="checkbox"/> State police Kentucky State Police <input type="checkbox"/> A U.S. Department of Justice component <input type="checkbox"/> Other (please name or describe: <input type="checkbox"/> N/A

Administrative Investigations

Number of investigators employed by the agency and/or facility who are responsible for conducting ADMINISTRATIVE investigations into allegations of sexual abuse or sexual harassment?	2
When the facility receives allegations of sexual abuse or sexual harassment (whether staff-on-Client or Client-on-Client), ADMINISTRATIVE INVESTIGATIONS are conducted by: Select all that apply	<input checked="" type="checkbox"/> Facility investigators <input checked="" type="checkbox"/> Agency investigators <input type="checkbox"/> An external investigative entity
Select all external entities responsible for ADMINISTRATIVE INVESTIGATIONS : Select all that apply (N/A if no external entities are responsible for administrative investigations)	<input type="checkbox"/> Local police department <input type="checkbox"/> Local sheriff's department <input type="checkbox"/> State police <input type="checkbox"/> A U.S. Department of Justice component <input type="checkbox"/> Other (please name or describe: <input checked="" type="checkbox"/> N/A

Audit Findings

Audit Narrative

The onsite PREA audit of the Bluegrass Career Development Center in Richmond, Kentucky was conducted December 8, 2021, by Department of Justice Certified PREA Auditor Brian D. Bivens. Richmond is located in Madison County and is named after Richmond, Virginia. It is home to Eastern Kentucky University. In 2019, the population was estimated at 36,157.

Pre-audit preparation included a thorough review of all policies, procedures, training curriculums, a Pre-Audit Questionnaire, and supporting documentation provided by the facility to demonstrate compliance to the PREA standards. The auditor and the facility's PREA Coordinator had ongoing communication for several weeks before the audit to prepare for the on-site visit.

The on-site audit began with an entrance meeting being conducted on Thursday, December 8, 2021, at approximately 10:00 A.M. in the Administrative Conference Room. The following staff attended the entrance meeting:

Dewayne Weaver, PREA Coordinator

Darrell Neace, Facility Director

Following the entrance meeting, the auditor conducted a comprehensive site review that began at approximately 10:30 a.m. and continued throughout the onsite visit. During the site review, the auditor reviewed camera placement, blind spots, staff placement, and documentation to assist in determining standard compliance. While touring the facilities the auditor observed the notices of this PREA audit in all areas of the building, as well as posters (Kentucky Department of Corrections Zero Tolerance) {Both in English and Spanish} that called attention to the agency's Zero Tolerance Policy, Advocacy Services available, and how to report allegations of sexual abuse and sexual harassment. Random staff and Client interviews were conducted in a private office provided.

The following staff accompanied the auditor on the site review:

Dewayne Weaver, PREA Coordinator

Darrell Neace, Facility Director

All housing units, common areas, client program areas, administrative areas, multiple laundry areas, dining areas, kitchen, outdoor leisure areas, and all other client-accessible areas were toured (See Chart 1). The facility is divided into two sections, one for parolees and one for Kentucky Department of Corrections clients; the two populations are not allowed to intermingle. While touring several clients and staff were questioned about their knowledge of PREA standards, procedures for reporting, services available, and their responsibilities. All staff and clients informally interviewed during the tour acknowledged receiving training and procedures for reporting sexual abuse, sexual harassment, and/or retaliation for reporting.

CHART 1 Areas Toured

Location	Comments
Lobby	
Administrative Area	
Kitchen	
Laundry	One on each side of the facility.
Outdoor Break Area	
Common Area	Location of Telephones
Programs Area	
Living Areas	

The facility supplied a list of client names sorted by housing units, and special designations, as well as a list of facility staff names to the auditor. From these lists, the auditor selected, at random, a sampling of clients and staff to be interviewed during the on-site visit. The sampling size for clients included at least three clients from each housing area. This decision was made to ensure all clients throughout the facility were receiving the same information and education related to all Bluegrass Career Development Center of the PREA program instituted at this facility.

The auditor interviewed a total of three random staff members and completed eleven specialized employee interviews during this audit (See CHART 2). All staff interviewed were well versed in their respective areas of responsibility regarding PREA and affirmed compliance with the applicable PREA standards. Staff interviewed displayed active knowledge in their responsibilities in reporting sexual abuse, sexual harassment, staff negligence, and retaliation for reporting. When questioned about evidence preservation, all staff responses reflected knowledge of agency policies and procedures.

CHART 2 Staff Interviews (14)

Type	Number	Comments
Agency Head, designee	1	Site Director
Program Director, designee	1	
SANE/SAFE Staff	0	Baptist Health Hospital
PREA Coordinator	1	
Advocacy Service	1	
Segregation Staff	0	N/A
Administrative Investigator	1	Site Director
Criminal Investigator	0	Kentucky State Police
Random Staff	3	
Medical Staff	1	
Mental Health Staff	0	None on-site
Screening Staff	1	
Volunteer	0	
Contract Employees	1	Medical Staff
Human Resources	1	Site Director
Retaliation Monitor	1	Site Director
Incident Review Team	1	PREA Coordinator
Agency Contract Admin.	0	N/A
Staff supervising Juveniles	0	N/A
First Responder	0	No Investigations in the past 12 months

There is no SAFE or SANE staff at the facility; they are made available at the Baptist Health Hospital in Richmond, Kentucky.

There were ten clients interviewed during the on-site visit (See CHART 3). These clients consisted of 7 clients selected at random and 3 targeted clients. There were two clients that were two cognitively impaired, two that had physical impairments, and one self-identified as gay. All of the clients interviewed acknowledged receiving PREA training and written materials (posters, pamphlets, and client handbooks) outlining the agency’s zero-tolerance policies towards sexual abuse, sexual harassment, and retaliation for reporting, as well as the procedures for reporting. All clients interviewed felt if they had to file a PREA complaint the facility would respond appropriately to their complaint and that all PREA complaints were taken very seriously by staff at this facility. Ten out of ten clients stated they felt safe at the Bluegrass Career Development Center.

CHART 3: Client Interviews (10)

Client/Client Type	Number Interviewed
General Population	5
Reported Sexual Victimization	0
Self-Identified as LGBTI	1
Juvenile	N/A
Screened at Risk of Victimization	0
Screened at Risk of Abusiveness	0
Blind/Low Vision	0
Deaf or Hearing Impaired	0
Physical Disability	2
Cognitive Disability	2
Limited English Speaking	0

The auditor selected and carefully examined 5 human resource files, 5 staff training files (See CHART 4). The personnel files were very well organized and contained all the necessary background check information and signed statements regarding previous sexual misconduct described in the standards. Background checks are completed by the Bluegrass Career Development Center and the Kentucky Department of Corrections. The Bluegrass Career Development Center also completed 5-year background checks on each employee, volunteer, and contractor (if any). The training records were also very complete and included written documentation that staff and volunteers received the required training and understood what was being trained. The Bluegrass Career Development Center utilizes a Kentucky Department of Corrections Lesson Plan for PREA training to staff and contract employees. The Bluegrass Career Development Center has an extensive PREA 39-slide PowerPoint that is used for all volunteer training; which is conducted annually.

CHART 4: Files Reviewed

File	Number Reviewed
Staff Training Records	5
Staff Human Resource Records	5
Contract Employee Training Records	1
Contract Employee Human Resource Records	1
Volunteer Training Records	0
Client PREA Records	6
PREA Investigative Files	0

The auditor also reviewed 6 client files and saw documentation of offender education, as well as documentation of the initial risk screenings, the 30-day re-screenings, and screenings upon additional information being completed as required by the standard. Rescreenings are completed by the PREA Coordinator within the first 30 days of confinement.

In the twelve months preceding the audit, the Bluegrass Career Development Center, Richmond, KY had not received any PREA complaints regarding sexual harassment or sexual abuse. Policy and procedure required that criminal investigative referrals were to be documented and proper referrals were made as warranted. The Kentucky State Police would be responsible for investigating any potential criminal activity.

At the conclusion of the on-site visit, an exit meeting was held to discuss the audit findings. The following staff attended:

Dewayne Weaver, PREA Coordinator

Darrell Neace, Facility Director

During the exit, the auditor explained the process that would follow the on-site visit. The auditor also explained any areas found not meeting the standards during the audit would require corrective measures and he would be working closely with the PREA team to accomplish compliance. Finally, the auditor acknowledged the willingness of all staff involved to accomplish PREA compliance and advised the PREA team of their requirements to post how to obtain a copy of the final report on the facility website once compliance with all standards was achieved.

Facility Characteristics

The Bluegrass Career Development Center is located at 549 Recycle Drive, Richmond, Kentucky; it is a long-term substance abuse recovery program for men. The facility is physically divided into two sections; section one is for parolees and the second section is for the Kentucky Department of Corrections serving the last months of their sentence. Bluegrass Career Development Center works to restore opportunities to men by preparing them to lead sober, stable, and productive lives. The men participating in the program are homeless or marginally housed and unemployed, some come directly from court or jail with nothing.

The Bluegrass Career Development Center has 65 cameras; with a typical storage capacity of two weeks. Cameras can be viewed in the monitor’s office, the PREA Coordinator’s Office, and in the Site Director’s Office.

It is a 152-bed community confinement facility that facilitates parolee and community transition services for the Kentucky Department of Corrections. The main building consists of all the support service areas, including administrative offices, kitchen, dining area, front lobby, and two separate housing areas. In the front of the complex is a leisure area for the clients. The facility’s parent agency is the Bluegrass Regional Recycling Corp; it is a private not-for-profit organization. Clients are all assigned a job; which may include food operations or custodial. Clients can earn .63 cents per day plus sentence reduction credits.

During the on-site portion of the audit, the Auditor observed PREA signage in numerous locations throughout the facility; including the external PREA hotline number. The auditor observed the “PREA Audit Notices” posted in several locations including housing areas, common areas, and in the lobby of the facility. There have not been any significant expansions or modifications to the facility since its last PREA Audit in 2018.

CHART 5: Housing Breakdown

Location	Beds	Comments
Client-Side	88	
Parolee Side	64	

Summary of Audit Findings

The Bluegrass Career Development Center has successfully met or exceeded each of the PREA standards for Community Confinement.

Standards Exceeded

The number of Standards Exceeded: 2

List of Standards Exceeded: 115.231 and 115.264

Standards Met

The Number of Standards Met: 39

Number of Standards Met: 115.211, 115.212, 115.213, 115.215, 115.216, 115.217, 115.218, 115.221, 115.222, 115.232, 115.233, 115.234, 115.235, 115.241, 115.242, 115.251, 115.252, 115.253, 115.254, 115.261, 115.262, 115.263, 115.265, 115.266, 115.267, 115.271, 115.272, 115.273, 115.276, 115.277, 115.278, 115.282, 115.283, 115.286, 115.287, 115.288, 115.289, 115.401, 115.403

Standards Not Met

Number of Standards Not Met: 0

List of Standards Not Met: N/A

PREVENTION PLANNING

Standard 115.211: Zero tolerance of sexual abuse and sexual harassment; PREA coordinator

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.211 (a)

- Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment? Yes No
- Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment? Yes No

115.211 (b)

- Has the agency employed or designated an agency-wide PREA Coordinator? Yes No
- Is the PREA Coordinator position in the upper level of the agency hierarchy? Yes No
- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

115.211 (a): Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) mandates zero tolerance for all forms of sexual abuse and sexual harassment. This policy outlines the agency's approach to preventing, detecting, and responding to such conduct. The procedures for all staff were clearly outlined in The Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) provided. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.211 (B): The agency employs an upper-level, facility PREA Coordinator, Dewayne Weaver; effective April 1, 2019. The Organization Chart indicates that the PREA Coordinator reports directly

to the Site Director, who reports to the Executive Director of the agency. Mr. Weaver is also the Assistant Director; which enables him to have significant input on all matters pertaining to PREA. He is very knowledgeable of the PREA standards and actively assists the facility with compliance. Mr. Weaver as PREA Coordinator has the authority to develop, implement, and oversee PREA compliance; he is actively updating the facility as new FAQs are published on the PREA Resource Center website. Mr. Weaver acknowledged during his interview he had enough time to perform her PREA duties. The facility only has one building and does not have a PREA Manager. Therefore, the facility meets compliance with this part of the standard during this audit.

Standard 115.212: Contracting with other entities for the confinement of clients

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.212 (a)

- If this agency is public and it contracts for the confinement of its clients with private agencies or other entities including other government agencies, has the agency included the entity's obligation to 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 clients.) Yes No NA

115.212 (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 clients.) Yes No NA

115.212 (c)

- If the agency has entered into a contract with an entity that fails to comply with the PREA standards, did the agency do so only in emergency circumstances after making all reasonable attempts to find a PREA compliant private agency or other entity to confine clients? (N/A if the agency has not entered into a contract with an entity that fails to comply with the PREA standards.) Yes No NA
- In such a case, does the agency document its unsuccessful attempts to find an entity in compliance with the standards? (N/A if the agency has not entered into a contract with an entity that fails to comply with the PREA standards.) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

The Bluegrass Career Development Center is a private provider and does not contract with other agencies for the confinement of its clients. This was confirmed by reviewing Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), an interview with the PREA Coordinator, and auditor observation during the onsite portion of the audit. Therefore, this standard was found to be compliant during this audit cycle.

Standard 115.213: Supervision and monitoring

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.213 (a)

- Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect clients against sexual abuse?
 Yes No
- In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The physical layout of each facility? Yes No
- In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the Client population? Yes No
- In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse? Yes No
- In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors? Yes No

115.213 (b)

- In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)
 Yes No NA

115.213 (c)

- In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to the staffing plan established pursuant to paragraph (a) of this section? Yes No
- In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to prevailing staffing patterns? Yes No
- In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to the facility's deployment of video monitoring systems and other monitoring technologies? Yes No
- In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to the resources the facility has available to commit to ensure adequate staffing levels? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on staff interviews, review of documentation provided and review of Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) for Compliance with Prison Rape Elimination Act of 2003 (PREA); the following delineates the audit findings regarding this standard:

115.213 (a) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) outlines, that the facility has developed, documented and made its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing as described and required by this standard. The established staffing plan uses the criteria found in the standard 115.213 (a) to include the physical layout of the facility, composition of the clients housed, the prevalence of substantiated and unsubstantiated incidents of sexual abuse, and any other relevant factors identified. Video monitoring has also been deployed and upgraded to assist with the protection of clients against sexual abuse. The staffing levels are monitored daily by a review of shift rosters. A review of the plan was last completed in January 2021. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.213 (b) The Bluegrass Career Development Center has procedures in place to ensure all deviations are covered by:

1. Utilization of on-call administrative staff
2. Overtime pay

There have been no deviations reported where the staffing plan has not been complied with in the past twelve months, as confirmed by an interview with the Facility Program Director. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.213 (c) The staffing plan is reviewed annually by the Facility Director and Agency Chief Executive Officer and approved by the Kentucky Department of Corrections as part of the Department of Corrections semi-annual inspection of the Bluegrass Career Development Center. The Facility Director approves any recommendations made which would include changes to policy and procedures, physical plant, video monitoring, or staffing levels. The last Annual Staffing Plan assessment was completed in January 2021. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.215: Limits to cross-gender viewing and searches

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.215 (a)

- 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 No

115.215 (b)

- Does the facility always refrain from conducting cross-gender pat-down searches of female clients, except in exigent circumstances? (N/A if the facility does not have female clients.)
 Yes No NA
- Does the facility always refrain from restricting female clients' access to regularly available programming or other outside opportunities in order to comply with this provision? (N/A if the facility does not have female clients.) Yes No NA

115.215 (c)

- Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches? Yes No
- Does the facility document all cross-gender pat-down searches of female clients? (N/A if the facility does not have female clients). Yes No NA

115.215 (d)

- Does the facility have policies that enable clients to shower, perform bodily functions, and change clothing without a 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 No
- Does the facility have procedures that enable clients to shower, perform bodily functions, and change clothing without a 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 No
- Does the facility require a staff of the opposite gender to announce their presence when entering an area where clients are likely to be showering, performing bodily functions, or changing clothing? Yes No

115.215 (e)

- Does the facility always refrain from searching or physically examining transgender or intersex clients for the sole purpose of determining the Client's genital status? Yes No
- If a client's genital status is unknown, does the facility determine genital status during conversations with the Client, 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? Yes No

115.215 (f)

- Does the facility/agency train security staff in how to conduct a cross-gender pat-down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs? Yes No
- Does the facility/agency train security staff in how to conduct searches of transgender and intersex clients in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) for Compliance with Prison Rape Elimination Act of 2003 (PREA),

training curriculums, staff interviews, training file reviews, and documentation provided; the following delineates the audit findings regarding this standard:

115.215 (a) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), prohibits all clients searches and that staff shall not conduct cross-gender strip searches or gross-gender visual body cavity searches (meaning a search of the anal or genital opening). The review of training curriculums and staff interviews revealed cross-gender strip searches are prohibited. There have been no documented cross-gender visual body cavity or strip searches reported in the past 12 months. In the event there is a suspicion of contraband or the need for a body search, the Facility Director will be notified. This process was also confirmed during random client interviews. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.215 (b) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), prohibits all staff from frisk/pat searches of female clients without exception. This was confirmed during random staff interviews. The facility houses males only. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.215 (c) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), prohibits frisk/pat searches of female clients by male staff and requires that all cross-gender searches without exception. The facility houses males only. This was confirmed during random staff interviews. Ten out of ten clients stated they have never been physically searched during their stay at the Bluegrass Career Development Center. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.215 (d) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), outlines clients shall be permitted to shower, perform bodily functions, and change clothing without a nonmedical staff of the opposite gender viewing their breasts, buttocks or genitalia. Ten out of ten clients confirmed during interviews they have privacy when showering, using the toilets, and changing their clothes. Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) also requires a staff of the opposite gender to announce their presence prior to entering the housing units. Note: the facility houses males only. Client and staff interviews revealed that opposite gender announcements were common practice at this facility when escorting males through the facility for any reason. Ten out of ten clients stated males in their living wings are extremely rare and they are always escorted by a male staff member. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.215 (e) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), training curriculum (Kentucky Department of Corrections lesson plan) provided and staff interviews the facility prohibits staff from physically examining transgender or intersex clients for the sole purpose of determining genital status. If the client's genital status is unknown, it is determined during conversations with the client, 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. There were no transgender or intersex clients housed at the Bluegrass Career Development Center at the time of the onsite review. Staff training records were reviewed. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.215 (f) Based on Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), training curriculum (Kentucky Department of Corrections lesson plan) provided, staff training file reviews, and staff interviews the facility trains staff not to conduct

cross-gender pat-down searches, and searches of transgender and intersex clients. In the event there is a suspicion of contraband or the need for a body search, staff will contact the Facility Director for guidance. The facility houses males only. This process was confirmed during random staff interviews. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.216: Clients with disabilities and clients who are limited English proficient

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.216 (a)

- Does the agency take appropriate steps to ensure that clients 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 Clients who are deaf or hard of hearing? Yes No
- Does the agency take appropriate steps to ensure that clients 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 Clients who are blind or have low vision? Yes No
- Does the agency take appropriate steps to ensure that clients 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 Clients who have intellectual disabilities? Yes No
- Does the agency take appropriate steps to ensure that clients 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 Clients who have psychiatric disabilities? Yes No
- Does the agency take appropriate steps to ensure that clients 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 Clients who have speech disabilities? Yes No
- Does the agency take appropriate steps to ensure that clients 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 No
- Do such steps include, when necessary, ensuring effective communication with clients who are deaf or hard of hearing? Yes No

- 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 No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with clients with disabilities including clients who: Have intellectual disabilities? Yes No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with clients with disabilities including clients who: Have limited reading skills? Yes No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with clients with disabilities including clients who: Are blind or have low vision? Yes No

115.216 (b)

- Does the agency take reasonable steps to ensure meaningful access to all Bluegrass Career Development Center of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to clients who are limited English proficient? Yes No
- Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary? Yes No

115.216 (c)

- Does the agency always refrain from relying on Client interpreters, Client readers, or other types of Client Facilities except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the Client's safety, the performance of first-response duties under §115.264, or the investigation of the Client's allegations? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)

- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), PREA Resource Center Video, review of the lesson plans, PREA handouts, training logs, as well as staff and client interviews; the following delineates the audit findings regarding this standard:

115.216 (a) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) ensures appropriate steps are taken to provide clients with disabilities (including, for example, clients who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of its efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. PREA handouts, PREA posters, PREA education video, and the Client Handbook are provided in both English and Spanish. Therefore, the facility demonstrated compliance with this part of the standard during this audit. The agency has access to a community interpreter when needed. The PREA Coordinator advised the facility has not had a client with a disability in the past 12 months. Interviews with screening staff also confirmed this statement. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.216 (b) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) for Compliance with Prison Rape Elimination Act of 2003 (PREA), Clients with disabilities and clients who are limited English proficient and staff takes 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 clients who are limited English proficient, including steps to provide interpreters who can interpret effectively accurately and impartially. The agency has access to a community interpreter when needed. The PREA Coordinator advised the facility has not had a client with a disability or limited English Proficient in the past 12 months. Interviews with screening staff also confirmed this statement. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.216 (c) The Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) mandates that Bluegrass Career Development Center does not rely on client interpreters, or client readers except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the Client's safety. The agency has access to a community interpreter when needed. The PREA Coordinator advised the facility has not had a client with a disability in the past 12 months. Interviews with screening staff also confirmed this statement. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.217: Hiring and promotion decisions

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.217 (a)

- Does the agency prohibit the hiring or promotion of anyone who may have contact with clients 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 No
- Does the agency prohibit the hiring or promotion of anyone who may have contact with clients 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 No
- Does the agency prohibit the hiring or promotion of anyone who may have contact with clients who: Has been civilly or administratively adjudicated to have engaged in the activity described in the question immediately above? Yes No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with clients who: Have 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 No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with clients 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 No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with clients who: Has been civilly or administratively adjudicated to have engaged in the activity described in the question immediately above? Yes No

115.217 (b)

- Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with clients? Yes No
- Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor, who may have contact with clients? Yes No

115.217 (c)

- Before hiring new employees who may have contact with clients, does the agency: Perform a criminal background records check? Yes No
- Before hiring new employees who may have contact with clients, 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 No

115.217 (d)

- Does the agency perform a criminal background record check before enlisting the services of any contractor who may have contact with clients? Yes No

115.217 (e)

- Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with clients or have in place a system for otherwise capturing such information for current employees? Yes No

115.217 (f)

- Does the agency ask all applicants and employees who may have contact with clients directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions? Yes No
- Does the agency ask all applicants and employees who may have contact with clients 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 employees? Yes No
- Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct? Yes No

115.217 (g)

- Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination? Yes No

115.217 (h)

- 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 No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)

Does Not Meet Standard (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), Human Resource staff interviews, the Bluegrass Career Development Center Self-Declaration Forms, and personnel file reviews; the following delineates the audit findings regarding this standard:

115.217 (a) The Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) does not hire or promote anyone who may have contact with clients, and does not enlist the services of any contractor or volunteer who may have contact with clients, who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution, 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 has been civilly or administratively adjudicated to have engaged in the activity described above. During the onsite visit, background checks had been conducted by both the Bluegrass Career Development Center and the Kentucky Department of Corrections as required on all current staff. Therefore, the facility meets compliance with this part of the standard during this audit.

115.217 (b) The Bluegrass Career Development Center considers any incidents of sexual harassment in determining whether to hire or promote anyone or to enlist the services of any contractor or volunteer, who may have contact with clients. All applicants and employees must sign the agency's "Self-Declaration of Sexual Abuse/Sexual Harassment" form. The PREA Coordinator supplied the auditor with every "Self-Declaration of Sexual Abuse/Sexual Harassment" form that has been completed in the past twelve months. Each employee, volunteer, and contractor signs the form annually. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.217 (c)-1 Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), requires a criminal background record check to be completed before hiring any new employee. The Bluegrass Career Development Center requires checks of the following registries prior to employment for all staff; the national criminal background check and AOC – Administrative Office of the Courts. The parent agency of Bluegrass Career Development Center completes background checks every 5 years on all employees, volunteers, and contract employees. This was confirmed during file review and during an interview with the Facility Director. Therefore, the facility meets compliance with this part of the standard during this audit.

115.217 (c)-2 The Bluegrass Career Development Center makes its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any pending investigations of allegations of sexual abuse. The Bluegrass Career Development Center requires checks of the following registries prior to employment for all staff; the national criminal background check and AOC – Administrative Office of the Courts. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.217 (d) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), requires a criminal background record check to be completed before enlisting the services of any contractor or volunteer who may have contact with the clients. The Bluegrass Career Development Center completes background checks every five years on all employees, volunteers, and contract employees. This was confirmed during file review and during an interview with the Facility Director. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.217 (e) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) requires a criminal background record check to be completed on all current employees, volunteers, and contractors at least every five years. The Bluegrass Career Development Center completes background checks annually on all employees, volunteers, and contract employees. This was confirmed during file review and during an interview with the Facility Director. The facility has met compliance with this part of the standard.

115.217 (f) The Bluegrass Career Development Center instills upon all employees a continuing affirmative duty to disclose any sexual misconduct as required by this standard. A “Self-Declaration of Sexual Abuse/Sexual Harassment” form is completed by all applicants, unescorted contractors or volunteers, employees upon being hired, and employees being considered for a promotion to document this requirement. The PREA Coordinator supplied the audit with every “Self-Declaration of Sexual Abuse/Sexual Harassment” form that has been completed in the past twelve months. Each employee, volunteer, and the contractor sign the form annually. This was confirmed during file review and during interviews with six random staff and contract employees. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.217 (g) The Bluegrass Career Development Center Policy 26.2 mandates that material omissions regarding sexual misconduct, and the provision of materially giving false information, are grounds for termination as required by this standard. According to the Facility Director, there has not been such an occurrence in the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.217 (h) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) requires that the agency shall provide information on substantiated allegations of sexual abuse or sexual harassment involving a current or former employee upon receiving a request from an institutional employer for whom such employee has applied to work. During an interview with the PREA Coordinator, it was notated that there has not been such an occurrence in the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.218: Upgrades to facilities and technologies

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.218 (a)

- 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 clients 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.)
 Yes No NA

115.218 (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 clients 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 No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based upon a review of the Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), interview with the Facility Director, staff interviews, review of camera placement, and review of documentation provided; the following delineates the audit findings regarding this standard:

115.218 (a) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), requires when designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the agency shall consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect clients from sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.218 (b) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), requires 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 clients from sexual abuse. During this audit cycle, the facility has not enhanced the video technology throughout the facility. All identified blind spots were addressed and staff, as well as clients, confirmed during interviews they felt safer with the changes in place. This was confirmed during an interview with the Facility Director. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

RESPONSIVE PLANNING

Standard 115.221: Evidence protocol and forensic medical examinations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.221 (a)

- 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 No NA

115.221 (b)

- Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.) Yes No NA
- 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 No NA

115.221 (c)

- Does the agency offer all clients who experience sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiary or medically appropriate? Yes No
- Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible? Yes No
- 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 No
- Has the agency documented its efforts to provide SAFEs or SANEs? Yes No

115.221 (d)

- Does the agency attempt to make available to the victim a victim advocate from a rape crisis center? Yes No

- 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? (N/A if agency *always* makes a victim advocate from a rape crisis center available to victims.) Yes No NA
- Has the agency documented its efforts to secure services from rape crisis centers? Yes No

115.221 (e)

- 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 No
- As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals? Yes No

115.221 (f)

- If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.) Yes No NA

115.221 (g)

- Auditor is not required to audit this provision.

115.221 (h)

- 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? (N/A if agency *always* makes a victim advocate from a rape crisis center available to victims.) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)

- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based upon a review of the Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), investigative staff interviews, and review of documentation provided; the following delineates the audit findings regarding this standard:

115.221 (a) and (b) The Bluegrass Career Development Center complies with all elements of this standard. The agency follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings. The Kentucky State Policy investigates all PREA complaints about potential criminal activity and maintains a close working relationship with the Madison County District Attorney's Office and Facility Director on each case. The PREA Coordinator stated there has not been an incident of alleged sexual abuse in this audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.221 (c) The Bluegrass Career Development Center offers all victims of sexual abuse access to forensic medical examinations at the Baptist Health Hospital without financial cost, where evidentiary or medically appropriate. Such examinations are to be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) as required. The agency has a Memorandum of Understanding between the Commonwealth of Kentucky, Justice and Public Safety Cabinet, Department of Corrections, and the Bluegrass Career Development Center Clinical Coordinator which agrees to provide outside victim advocacies services to the clients. The PREA Coordinator stated there has not been an incident of alleged sexual abuse in this audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.221 (d) The Bluegrass Career Development Center has entered into a Memorandum of Understanding between the Commonwealth of Kentucky, Justice and Public Safety Cabinet, Department of Corrections, and the Bluegrass Career Development Center Clinical Coordinator which agrees to provide outside victim advocacies services to the clients. The services of these victim advocates have not been requested or used by the clients during this audit cycle; the agency documents its efforts in providing such services. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.221 (e) The Bluegrass Career Development Center has entered into a Memorandum of Understanding between the Commonwealth of Kentucky, Justice and Public Safety Cabinet, Department of Corrections, and the Bluegrass Career Development Center Clinical Coordinator which agrees to provide outside victim advocacies services to the clients. which agrees to provide outside victim advocacies services to the clients upon request. According to the Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), the facility also makes available a victim advocate, upon request by the victim, who will accompany and support the victim through the forensic medical examination process and investigatory interviews and provide emotional support, crisis intervention, information, and referrals as warranted. The PREA Coordinator stated there has not been an incident of alleged sexual abuse in this audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.221 (f) The Kentucky State Police is responsible for criminal Investigations. All Kentucky State Police receive training in sexual abuse investigations during basic training at the State Police Academy including techniques for interviewing sexual abuse victims, proper use of Miranda warnings, sexual abuse evidence collection at crime scenes including in confined settings, and the criteria as the evidence required to substantiate a case for prosecution referral. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.221 (g) The Kentucky State Police is responsible for criminal Investigations. All Kentucky State Police receive training in sexual abuse investigations during basic training at the State Police Academy including techniques for interviewing sexual abuse victims, proper use of Miranda warnings, sexual abuse evidence collection at crime scenes including in confined settings, and the criteria as the evidence required to substantiate a case for prosecution referral. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.222: Policies to ensure referrals of allegations for investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.222 (a)

- Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse? Yes No
- Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment? Yes No

115.222 (b)

- Does the agency have a policy and practice 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 No
- Has the agency published such policy on its website or, if it does not have one, made the policy available through other means? Yes No
- Does the agency document all such referrals? Yes No

115.222 (c)

- If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for conducting criminal investigations. See 115.221(a).) Yes No NA

115.222 (d)

- Auditor is not required to audit this provision.

115.222 (e)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based upon a review of Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), Draft Memorandum of Understanding with the Kentucky State Police, staff interviews, and review of documentation provided; the following delineates the audit findings regarding this standard:

115.222 (a) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), requires an administrative or criminal investigation to be completed for all allegations of sexual abuse and sexual harassment. The Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), requires that all potential criminal activity is referred to the Kentucky State Police for criminal investigation. All Kentucky State Police receive training in sexual abuse investigations during basic training at the State Police Academy including techniques for interviewing sexual abuse victims, proper use of Miranda warnings, sexual abuse evidence collection at crime scenes including in confined settings, and the criteria as the evidence required to substantiate a case for prosecution referral, this was confirmed by a Captain at the Kentucky Law Enforcement Training Academy. The Bluegrass Career Development Center employees do not investigate such allegations. During this audit cycle, there had been no PREA complaints reported at this facility. The Bluegrass Career Development Center is establishing a Memorandum of Understanding with the Kentucky State Police to investigate all sexual abuse allegations from the facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.222 (b) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), requires that all PREA allegations are investigated for potential criminal activity. If it is determined that the allegation involves potential criminal activity, it is referred to the Kentucky State Police for criminal investigation and prosecution as warranted. This policy is available to the public upon request. The Facility Director states that there have not been any investigations in the past twelve months. The Bluegrass Career Development Center is establishing a

Memorandum of Understanding with the Kentucky State Police to investigate all sexual abuse allegations from the facility. All Kentucky State Police receive training in sexual abuse investigations during basic training at the State Police Academy including techniques for interviewing sexual abuse victims, proper use of Miranda warnings, sexual abuse evidence collection at crime scenes including in confined settings, and the criteria as the evidence required to substantiate a case for prosecution referral, this was confirmed by a Captain at the Kentucky Law Enforcement Training Academy. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.222 (c) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) and draft Memorandum of Understanding outlines the responsibilities of Kentucky State Police. The Bluegrass Career Development Center is establishing a Memorandum of Understanding with the Kentucky State Police to investigate all sexual abuse allegations from the facility. The Facility Director stated that there have not been any investigations in the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.222 (d) The Bluegrass Career Development Center is establishing a Memorandum of Understanding with the Kentucky State Police to investigate all sexual abuse allegations from the facility. The Facility Director stated that there have not been any investigations in the past twelve months. All Kentucky State Police receive training in sexual abuse investigations during basic training at the State Police Academy including techniques for interviewing sexual abuse victims, proper use of Miranda warnings, sexual abuse evidence collection at crime scenes including in confined settings, and the criteria as the evidence required to substantiate a case for prosecution referral, this was confirmed by a Captain at the Kentucky Law Enforcement Training Academy.. Therefore, this part of the standard is not applicable.

TRAINING AND EDUCATION

Standard 115.231: Employee training

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.231 (a)

- Does the agency train all employees who may have contact with clients on its zero-tolerance policy for sexual abuse and sexual harassment? Yes No
- Does the agency train all employees who may have contact with clients on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures? Yes No
- Does the agency train all employees who may have contact with clients on clients' right to be free from sexual abuse and sexual harassment Yes No

- Does the agency train all employees who may have contact with clients on the right of clients and employees to be free from retaliation for reporting sexual abuse and sexual harassment? Yes No
- Does the agency train all employees who may have contact with clients on the dynamics of sexual abuse and sexual harassment in confinement? Yes No
- Does the agency train all employees who may have contact with clients on the common reactions of sexual abuse and sexual harassment victims? Yes No
- Does the agency train all employees who may have contact with clients on how to detect and respond to signs of threatened and actual sexual abuse? Yes No
- Does the agency train all employees who may have contact with clients on how to avoid inappropriate relationships with clients? Yes No
- Does the agency train all employees who may have contact with clients on how to communicate effectively and professionally with clients, including lesbian, gay, bisexual, transgender, intersex, or gender non-conforming clients? Yes No
- Does the agency train all employees who may have contact with clients on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities? Yes No

115.231 (b)

- Is such training tailored to the gender of the clients at the employee's facility? Yes No
- Have employees received additional training if reassigned from a facility that houses only male clients to a facility that houses only female clients, or vice versa? Yes No

115.231 (c)

- Have all current employees who may have contact with clients received such training? Yes No
- 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 No
- 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 No

115.231 (d)

- Does the agency document, through employee signature or electronic verification, that employees understand the training they have received? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based upon a review of the Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), the 63-page Kentucky Department of Corrections PREA Acknowledgement Form, staff interviews, random staff training file review, and review of documentation provided (lesson plans, certificates, sign-in sheets, signed acknowledgment forms, training curriculums, and employee handouts); the following delineates the audit findings regarding this standard:

115.231 (a) The Bluegrass Career Development Center utilizes a PREA lesson plan provided by the Kentucky Department of Corrections to train all their employees who have contact with clients on:

- (1) Its zero-tolerance policy for sexual abuse and sexual harassment;
- (2) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;
- (3) Clients' right to be free from sexual abuse and sexual harassment;
- (4) The right of clients and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
- (5) The dynamics of sexual abuse and sexual harassment in confinement;
- (6) The common reactions of sexual abuse and sexual harassment victims;
- (7) How to detect and respond to signs of threatened and actual sexual abuse;
- (8) How to avoid inappropriate relationships with clients;
- (9) How to communicate effectively and professionally with clients, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming clients; and
- (10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Six out of six staff were well-versed in the facility's policy and procedure. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.231 (b) The training is tailored for male clients at the Bluegrass Career Development Center. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.231 (c) The training staff provided a report containing all staff that had been PREA trained which confirmed the requirements needed to meet the standard and proved that all current staff was trained within one year of the effective date of the PREA standards. The PREA Coordinator supplied the auditor with a complete list; that showed all employees have been trained on the facility policy and procedure as it pertains to PREA. All staff received PREA training during in-service each year which

exceeds the requirements of this standard. Six out of six staff were well-versed in the facility's policy and procedure. The Bluegrass Career Development Center utilizes a 63-page PREA lesson plan provided by the Kentucky Department of Corrections. Therefore, the facility exceeds compliance with this part of the standard during this audit.

115.231 (d) The Bluegrass Career Development Center documents, through employee signature on a Kentucky Department of Corrections PREA acknowledgment form, that all employees understand the training they have received. File review confirmed six out of six files included the acknowledgment documentation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.232: Volunteer and contractor training

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.232 (a)

- Has the agency ensured that all volunteers and contractors who have contact with clients have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures? Yes No

115.232 (b)

- Have all volunteers and contractors who have contact with clients 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 clients)? Yes No

115.232 (c)

- Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based upon a review of Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), PREA Lesson Plan, contract employee interview, random training file review, and review of documentation provided (lesson plan, certificates, sign-in sheets, signed acknowledgment forms, and handouts). The following delineates the audit findings regarding this standard:

115.232 (a) The Bluegrass Career Development Center ensures all volunteers and contractors who have contact with clients have been trained on their responsibilities under the Bluegrass Career Development Center sexual abuse and sexual harassment prevention, detection, and response policies and procedures. Six out of six staff were well-versed in the facility's policy and procedure. There have not been any volunteers inside the facility in the past twelve months due to Covid-19. Volunteers who complete the PREA training must sign a four-page PREA Acknowledgement document; which details the agency's PREA policy and the volunteers' responsibilities and obligations. Records review clearly indicated that the one contract employee had completed initial PREA training, specialized PREA training for Medical Staff, and annual in-service PREA training. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.232 (b) The level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with clients, but all volunteers and contractors who have contact with clients are notified of Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), regarding sexual abuse and sexual harassment and their requirements to report such incidents. Six out of six staff were well-versed in the facility's policy and procedure. There have not been any volunteers inside the facility in the past twelve months due to Covid-19. Volunteers who complete the PREA training must sign a four-page PREA Acknowledgement document; which details the agency's PREA policy and the volunteers' responsibilities and obligations. Records review clearly indicated that the one contract employee had completed initial PREA training, specialized PREA training for Medical Staff, and annual in-service PREA training. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.232 (c) The Bluegrass Career Development Center documents through volunteer and/or contractor signature on an acknowledgment form that volunteers and contractors understand the training they have received. There have not been any volunteers inside the facility in the past twelve months due to Covid-19. Volunteers who complete the PREA training must sign a four-page PREA Acknowledgement document; which details the agency's PREA policy and the volunteers' responsibilities and obligations. Records review clearly indicated that the one contract employee had completed initial PREA training, specialized PREA training for Medical Staff, and annual in-service PREA training. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.233: Client education

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.233 (a)

- During intake, do clients receive information explaining: The agency's zero-tolerance policy regarding sexual abuse and sexual harassment? Yes No
- During intake, do clients receive information explaining: How to report incidents or suspicions of sexual abuse or sexual harassment? Yes No
- During intake, do clients receive information explaining: Their rights to be free from sexual abuse and sexual harassment? Yes No
- During intake, do clients receive information explaining: Their rights to be free from retaliation for reporting such incidents? Yes No
- During intake, do clients receive information regarding agency policies and procedures for responding to such incidents? Yes No

115.233 (b)

- Does the agency provide refresher information whenever a client is transferred to a different facility? Yes No

115.233 (c)

- Does the agency provide Client education in formats accessible to all clients, including those who: Are limited English proficient? Yes No
- Does the agency provide Client education in formats accessible to all clients, including those who: Are deaf? Yes No
- Does the agency provide Client education in formats accessible to all clients, including those who: Are visually impaired? Yes No
- Does the agency provide Client education in formats accessible to all clients, including those who: Are otherwise disabled? Yes No
- Does the agency provide Client education in formats accessible to all clients, including those who: Have limited reading skills? Yes No

115.233 (d)

- Does the agency maintain documentation of Client participation in these education sessions? Yes No

115.233 (e)

- In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to clients through posters, client handbooks, or other written formats? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on a review of the Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) the Client Handbook, PREA Pamphlets (Understanding the Prison Rape Elimination Act (PREA) for Offenders, Facility Orientation, PREA Posters, and the 30-day training video; as well as interviews with random clients and staff; the following delineates the audit findings regarding this standard:

115.233 (a) According to Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), during the orientation process, clients receive information explaining the Bluegrass Career Development Center zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment, their rights to be free from sexual abuse and harassment, and to be free from retaliation for reporting such incidents, as well as procedures for responding to these types of incidents. Clients sign for the Client Handbook during orientation. PREA information can be found on pages 26-27 in the Client Handbook. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.233 (b) The agency only operates this facility. Therefore, this part of the standard is not applicable.

115.233 (c) The Bluegrass Career Development Center provides client education in formats accessible to all clients, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to clients who have limited reading skills. There were no clients with any disabilities housed at the Bluegrass Career Development Center during the onsite review. The facility utilized the "PREA – What You Need to Know" video (both in English and Spanish). The Facility has several volunteers that are bi-lingual and help with PREA orientation with the limited English proficient clients. The facility has access to an interpreter in the community if needed. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.233 (d) There was documentation provided of the client's participation in PREA educational sessions as required by this part of the standard. PREA information can be found on pages 26-27 in

the Client Handbook. A review of client training files indicated that ten out of ten clients received PREA education. Each client reviews orientation by their designated staff within 48 hours of admittance. Staff review the Bluegrass Career Development Center's PREA policy in detail; to include physically showing each new client how to use the PREA phone located in the common area. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.233 (e) The Bluegrass Career Development Center does provide the clients with posters, pamphlets, and a Client Handbook in English and Spanish outlining the zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. PREA information can be found on pages 26-27 in the Client Handbook. Clients with any disabilities housed at the Bluegrass Career Development Center during the onsite review were all interviewed, each displayed a clear understanding of the agency's zero tolerance for sexual abuse and sexual harassment, and how to report such incidents. The facility has access to an interpreter in the community if needed. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.234: Specialized training: Investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.234 (a)

- In addition to the general training provided to all employees pursuant to §115.231, does the agency ensure that, to the extent the agency itself conducts Bluegrass Career Development Center sexual abuse investigations, its investigators receive 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 115.221(a).)

Yes No NA

115.234 (b)

- Does this specialized training include: Techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.221(a).) Yes No NA
- 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 115.221(a).) Yes No NA
- 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 115.221(a).) Yes No NA
- 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 115.221(a).)

Yes No NA

115.234 (c)

- 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 115.221(a).)
 Yes No NA

115.234 (d)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on a review of the Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), as well as the Kentucky Department of Corrections Specialized Investigator Training curriculums provided, Memorandum of Understanding with the Kentucky State Police, investigators training file review and investigative staff interview; the following delineates the audit findings regarding this standard:

115.234 (a) In addition to the general training provided to all employees the Bluegrass Career Development Center Kentucky Department of Corrections ensures that their investigator receives training in conducting investigations in confinement settings. All Kentucky State Police receive training in sexual abuse investigations during basic training at the State Police Academy including techniques for interviewing sexual abuse victims, proper use of Miranda warnings, sexual abuse evidence collection at crime scenes including in confined settings, and the criteria as the evidence required to substantiate a case for prosecution referral. The training is a two-day course, typically taught by the Kentucky Department of Corrections Agency-wide PREA Coordinator. This was confirmed during an interview with the Facility Director. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.234 (b) The specialized training included techniques for interviewing 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 training is a two-day course, typically taught by the Kentucky Department of Corrections

Agency-wide PREA Coordinator. This was confirmed during an interview with the facility's PREA Coordinator. There were no investigations during the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.234 (c) The Kentucky Department of Corrections maintains documentation the agency investigator has completed the required specialized training in conducting sexual abuse investigations. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.234 (d) All Kentucky State Police receive training in sexual abuse investigations during basic training at the State Police Academy including techniques for interviewing sexual abuse victims, proper use of Miranda warnings, sexual abuse evidence collection at crime scenes including in confined settings, and the criteria as the evidence required to substantiate a case for prosecution referral. Therefore, this part of the standard is in compliance.

Standard 115.235: Specialized training: Medical and mental health care

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.235 (a)

- 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 No NA
- 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 No NA
- 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 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 No NA
- 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 No NA

115.235 (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 does not employ medical staff or the medical staff employed by the agency do not conduct forensic exams.)
 Yes No NA

115.235 (c)

- 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 No NA

115.235 (d)

- Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.231? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.) Yes No NA
- Do medical and mental health care practitioners contracted by and volunteering for the agency also receive training mandated for contractors and volunteers by §115.232? (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 No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on interviews with the Facility Director, random staff interviews; the following delineates the audit findings regarding this standard:

115.235 (a) The Bluegrass Career Development Center does have one part-time contracted medical care practitioner for the agency. The one contracted medical staff member has completed the NIC – National Institute of Corrections PREA Training for Medical and Mental Health Staff. This was confirmed during an interview with the Facility Director and during interviews with random staff and clients. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.235 (b) The Bluegrass Career Development Center does have one part-time medical care practitioner for the agency; the practitioner has completed Specialized NIC – National Institute of Corrections PREA Training for confinement settings. This was confirmed during an interview with the

Facility Director and during interviews with random staff and clients. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.235 (c) The Bluegrass Career Development Center does have one part-time medical for the agency; the practitioner has completed Specialized NIC – National Institute of Corrections PREA Training for confinement settings. This was confirmed during an interview with the Facility Director and during interviews with random staff and clients. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.235 (d) The Bluegrass Career Development Center does have one medical or for the agency; the practitioner has completed Specialized NIC – National Institute of Corrections PREA Training for confinement settings. This was confirmed during an interview with the Facility Director and during interviews with random staff and clients. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS

Standard 115.241: Screening for risk of victimization and abusiveness

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.241 (a)

- Are all clients assessed during an intake screening for their risk of being sexually abused by other clients or sexually abusive toward other clients? Yes No
- Are all clients assessed upon transfer to another facility for their risk of being sexually abused by other clients or sexually abusive toward other clients? Yes No

115.241 (b)

- Do intake screenings ordinarily take place within 72 hours of arrival at the facility?
 Yes No

115.241 (c)

- Are all PREA screening assessments conducted using an objective screening instrument?
 Yes No

115.241 (d)

- Does the intake screening consider, at a minimum, the following criteria to assess clients for risk of sexual victimization: Whether the client has a mental, physical, or developmental disability? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess clients for risk of sexual victimization: The age of the client? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess clients for risk of sexual victimization: The physical build of the client? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess clients for risk of sexual victimization: Whether the client has previously been incarcerated? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess clients for risk of sexual victimization: Whether the client's criminal history is exclusively nonviolent? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess clients for risk of sexual victimization: Whether the client has prior convictions for sex offenses against an adult or child? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess clients for risk of sexual victimization: Whether the client is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the Client about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the client is gender non-conforming or otherwise may be perceived to be LGBTI)? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess clients for risk of sexual victimization: Whether the client has previously experienced sexual victimization? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess clients for risk of sexual victimization: The client's own perception of vulnerability? Yes No

115.241 (e)

- In assessing clients for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior Bluegrass Career Development Center of sexual abuse? Yes No
- In assessing clients for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior convictions for violent offenses? Yes No
- In assessing clients for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: history of prior institutional violence or sexual abuse? Yes No

115.241 (f)

- Within a set time period not more than 30 days from the client's arrival at the facility, does the facility reassess the client's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening? Yes No

115.241 (g)

- Does the facility reassess a client's risk level when warranted due to a: Referral?
 Yes No
- Does the facility reassess a client's risk level when warranted due to a: Request?
 Yes No
- Does the facility reassess a client's risk level when warranted due to a: Incident of sexual abuse? Yes No
- Does the facility reassess a client's risk level when warranted due to a: Receipt of additional information that bears on the Client's risk of sexual victimization or abusiveness?
 Yes No

115.241 (h)

- Is it the case that clients are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section? Yes No

115.241 (i)

- Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the client's detriment by staff or other clients? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), review of the Kentucky Department of Corrections Screening for Risk

of Victimization and Abusiveness tool, client and staff interviews, KOMS Records, Client file reviews; the following delineates the audit findings regarding this standard:

115.241 (a) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), ensures that all clients are assessed during intake and upon transfer to another facility for risk of being sexually abused by other clients or sexually abusive toward other clients. This was confirmed during interviews with screening staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.241 (b) The Bluegrass Career Development Center documentation provided mandates that screenings be conducted within 48 hours of arrival at the facility. Screenings are completed by the PREA Coordinator. A review of six records confirmed 100% compliance. Ten out of ten clients stated they received orientation within the first 48 hours at the facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.241 (c) Based on the documentation provided and client file reviews the facility utilizes an objective screening instrument (the Kentucky Department of Corrections Screening for Risk of Victimization and Abusiveness) that covers all aspects of this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.241 (d) The intake screening instrument used considers, at a minimum, the following criteria to assess clients for risk of sexual victimization:

- (1) Whether the client has a mental, physical, or developmental disability;
- (2) The age of the client;
- (3) The physical build of the client;
- (4) Whether the client has previously been incarcerated;
- (5) Whether the client's criminal history is exclusively nonviolent;
- (6) Whether the client has prior convictions for sex offenses against an adult or child;
- (7) Whether the client is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
- (8) Whether the client has previously experienced sexual victimization;
- (9) The client's own perception of vulnerability.

Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.241 (e) The initial screening considers prior sexual abuse, prior convictions for violent offenses, and a history of prior institutional violence or sexual abuse, as known to the Bluegrass Career Development Center, in assessing clients for risk of being sexually abusive. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.241 (f) Within 30 days from the client's arrival, the Bluegrass Career Development Center reassesses the client's risk of victimization or abusiveness based upon any additional, relevant information received by The Bluegrass Career Development Center since the intake screening. Reassessments are maintained in KOMS (Kentucky Offender Management System). Clients that

screen as a possible victims will be marked on internal documentation alerting staff of the risk. A review of six records confirmed 100% compliance. Ten out of ten clients stated they received reassessment within the 30-day window at the facility. The facility has two community-based Spanish interpreters if needed. Therefore, the facility meets compliance with this part of the standard during this audit.

115.241 (g) The Bluegrass Career Development Center will reassess a client's risk level when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the client's risk of sexual victimization or abusiveness. The PREA Coordinator; who completes all screenings and reassessments stated he had not received any additional information that would warrant a reassessment. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.241 (h) The Bluegrass Career Development Center does not discipline clients for refusing to answer screening questions or not disclosing complete information. This is mandated by Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA). This was confirmed during an interview with the Facility Director. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.241 (i) The Bluegrass Career Development Center implements appropriate controls on the dissemination of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the client's detriment by staff or other clients. Accesses to the screenings are limited to administrative staff and are kept in the client's file. Based on policy review, interview with the Faculty Director, and interviews with the staff responsible for completing the screening, all information gathered on the screening instrument is restricted to staff making housing, work, and program assignments. Reassessments are documented in KOMS – Kentucky Information Management System. Clients that screen as a possible victims will be marked on internal documentation alerting staff of the risk. The facility has two community-based Spanish interpreters if needed. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.242: Use of screening information

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.242 (a)

- Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those clients at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments? Yes No

- Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those clients at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments? Yes No
- Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those clients at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments? Yes No
- Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those clients at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments? Yes No
- Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those clients at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments? Yes No

115.242 (b)

- Does the agency make individualized determinations about how to ensure the safety of each Client? Yes No

115.242 (c)

- When deciding whether to assign a transgender or intersex Client to a facility for male or female clients, does the agency consider on a case-by-case basis whether a placement would ensure the Client's health and safety and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns clients to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?
 Yes No
- When making housing or other program assignments for transgender or intersex clients, does the agency consider on a case-by-case basis whether a placement would ensure the Client's health and safety and whether a placement would present management or security problems?
 Yes No

115.242 (d)

- Are each transgender or intersex Client's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments? Yes No

115.242 (e)

- Are transgender and intersex clients given the opportunity to shower separately from other clients? Yes No

115.242 (f)

- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex clients, does the agency always refrain from placing: lesbian, gay, and bisexual clients in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I clients pursuant to a consent decree, legal settlement, or legal judgment.) Yes No NA

- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex clients, does the agency always refrain from placing: transgender clients in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I clients pursuant to a consent decree, legal settlement, or legal judgment.) Yes No NA

- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex clients, does the agency always refrain from placing: intersex clients in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I clients pursuant to a consent decree, legal settlement, or legal judgment.) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on the Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), Kentucky Department of Corrections Objective Screening Tool, client and staff interviews, and file review; the following delineates the audit findings regarding this standard:

115.242 (a) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), states that Bluegrass Career Development Center uses information from the risk screening to decide housing, bed, work, education, and program assignments with the goal of keeping separate those clients at high risk of being sexually victimized from those at high risk of being sexually abusive. The PREA Coordinator stated those that screen as potential victims are

never housed in the same room as those who screen as potential predators. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.242 (b) The Bluegrass Career Development Center makes individualized determinations about how to ensure the safety of each client. Clients that screened as a possible risk of victimization and/or of abusiveness are notated on internal documentation for the Administrative Staff. If needed, potential victims and aggressors could be separated by the housing floor. Screenings are forwarded to their HIPAA-protected Health File. Clients that screen as a possible victims will be marked on internal documentation alerting staff of the risk. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.242 (c) The Bluegrass Career Development Center outlines the procedures to be followed in deciding whether to assign a transgender client to a facility for female clients, and the process for making housing and programming assignments, on case-by-case basis as required by this standard. There were no transgender clients housed at the Bluegrass Career Development Center. The Facility Director advised the facility has not housed a transgender client in the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.242 (d) The Bluegrass Career Development Center requires that a transgender and intersex Client's own views regarding their own safety be given serious consideration. There were no transgender clients housed at the Bluegrass Career Development Center. The Facility Director advised the facility has not housed a transgender client in the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.242 (e) The Bluegrass Career Development Center requires that transgender and intersex clients be given the opportunity to shower separately from other clients. There were no transgender clients housed at the Bluegrass Career Development Center. The Facility Director advised the facility has not housed a transgender client in the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.242 (f) The Bluegrass Career Development Center does not place lesbian, gay, bisexual, transgender, or intersex clients in dedicated facilities, units, or wings solely on the basis of such identification or status unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such clients. This was confirmed by the PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

REPORTING

Standard 115.251: Client reporting

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.251 (a)

- Does the agency provide multiple internal ways for clients to privately report: Sexual abuse and sexual harassment? Yes No
- Does the agency provide multiple internal ways for clients to privately report: Retaliation by other clients or staff for reporting sexual abuse and sexual harassment? Yes No
- Does the agency provide multiple internal ways for clients to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents? Yes No

115.251 (b)

- Does the agency also provide at least one way for clients to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency? Yes No
- Is that private entity or office able to receive and immediately forward Client reports of sexual abuse and sexual harassment to agency officials? Yes No
- Does that private entity or office allow the client to remain anonymous upon request? Yes No

115.251 (c)

- Do staff members accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties? Yes No
- Do staff members promptly document any verbal reports of sexual abuse and sexual harassment? Yes No

115.251 (d)

- Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of clients? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), the Client Handbook, PREA pamphlets, and posters provided to clients were utilized to verify compliance with this standard. Staff and client interviews verified the clients have multiple internal ways to report incidents of abuse or harassment.

115.251 (a) The Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), outlines multiple internal ways for clients to report incidents of sexual abuse, sexual harassment, and retaliation by other clients or staff for reporting sexual abuse, sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. Clients can report by:

- Inform a Staff Member verbally, in writing, or anonymously

- Bluegrass Career Development Center Clinical Coordinator 24-Hour Hotline at 1-800-656-HOPE

- Tell a Family Member or Friend (Third Party)

- File a Grievance

- Notify the Kentucky Department of Corrections by letter or phone

Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.251 (b) The Bluegrass Career Development Center provides at least four ways for clients to report abuse or harassment to a public or private entity or office that is not part of the Bluegrass Career Development Center, and that is able to receive and immediately forward client reports of sexual abuse and sexual harassment to agency officials, allowing the client to remain anonymous upon request. The Bluegrass Career Development Center has entered into a Memorandum of Understanding between the Commonwealth of Kentucky, Justice and Public Safety Cabinet, Department of Corrections, and the Bluegrass Career Development Center Clinical Coordinator which agrees to provide outside victim advocacies services to the clients.

Each number is posted near the client phones located in a common area, assessable by all clients. The auditor successfully tested each external pre-programmed reporting number.

- Inform a Staff Member verbally, in writing, or anonymously

- 24-Hour Free Hotline at 1-833-362-PREA (7732)

- Call Bluegrass Career Development Center Counseling Service 1-800-928-8000

- 415 Gibson Lane, Richmond Kentucky 40475 (Not part of the agency)

- Tell a Family Member or Friend (Third Party)

- File a Grievance

- Notify the Kentucky Department of Corrections by letter or phone

Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.251 (c) The Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), requires all staff to accept reports made verbally, in writing, anonymously, and from third parties. All allegations shall be promptly documented in an incident report and reported to the Facility Director. All random staff confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.251 (d) The Bluegrass Career Development Center staff may privately report sexual abuse and sexual harassment to the PREA Hotline, the Facility Director, or the PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.252: Exhaustion of administrative remedies

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.252 (a)

- Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address Client grievances regarding sexual abuse. This does not mean the agency is exempt simply because a Client 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 No

115.252 (b)

- Does the agency permit clients 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 the agency is exempt from this standard.) Yes No NA
- Does the agency always refrain from requiring a client to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if the agency is exempt from this standard.) Yes No NA

115.252 (c)

- Does the agency ensure that: A Client 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 the agency is exempt from this standard.) Yes No NA
- Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if the agency is exempt from this standard.)
 Yes No NA

115.252 (d)

- 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 clients in preparing any administrative appeal.) (N/A if the agency is exempt from this standard.) Yes No NA

- 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 115.252(d)(3)), does the agency notify the Client in writing of any such extension and provide a date by which a decision will be made? (N/A if the agency is exempt from this standard.) Yes No NA
- At any level of the administrative process, including the final level, if the Client does not receive a response within the time allotted for the reply, including any properly noticed extension, may a Client consider the absence of a response to be a denial at that level? (N/A if the agency is exempt from this standard.) Yes No NA

115.252 (e)

- Are third parties, including fellow clients, staff members, family members, attorneys, and outside advocates, permitted to assist clients in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if the agency is exempt from this standard.)
 Yes No NA
- Are those third parties also permitted to file such requests on behalf of clients? (If a third-party files such a request on behalf of a Client, 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 the agency is exempt from this standard.) Yes No NA
- If the Client declines to have the request processed on his or her behalf, does the agency document the Client's decision? (N/A if the agency is exempt from this standard.)
 Yes No NA

115.252 (f)

- Has the agency established procedures for the filing of an emergency grievance alleging that a Client is subject to a substantial risk of imminent sexual abuse? (N/A if the agency is exempt from this standard.) Yes No NA
- After receiving an emergency grievance alleging a client 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 the agency is exempt from this standard.)
 Yes No NA
- After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if the agency is exempt from this standard.)
 Yes No NA

- After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if the agency is exempt from this standard.)
 Yes No NA
- Does the initial response and final agency decision document the agency's determination whether the Client is in a substantial risk of imminent sexual abuse? (N/A if the agency is exempt from this standard.) Yes No NA
- Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if the agency is exempt from this standard.) Yes No NA
- Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if the agency is exempt from this standard.) Yes No NA

115.252 (g)

- If the agency disciplines a client for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the Client filed the grievance in bad faith? (N/A if the agency is exempt from this standard.) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on the Bluegrass Career Development Center PREA Policy, staff interviews, PREA Coordinator interview, and documentation reviews; the facility has determined to view all PREA allegations as potential criminal incidents. Therefore, the agency is exempt from this standard. It should be noted that the agency has not received any allegation, in any form in the last twelve months.

Standard 115.253: Client access to outside confidential support services

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.253 (a)

- Does the facility provide clients with access to outside victim advocates for emotional support services related to sexual abuse by giving clients mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations? Yes No

- Does the facility enable reasonable communication between clients and these organizations and agencies, in as confidential a manner as possible? Yes No

115.253 (b)

- Does the facility inform clients, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws? Yes No

115.253 (c)

- Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide clients with confidential emotional support services related to sexual abuse? Yes No
- Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on the Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), MOU, staff interviews, Client interviews, and documentation review; the following delineates the audit findings regarding this standard:

115.253 (a) The Bluegrass Career Development Center has entered into a Memorandum of Understanding between the Commonwealth of Kentucky, Justice and Public Safety Cabinet, Department of Corrections, and the Bluegrass Career Development Center Clinical Coordinator which agrees to provide outside victim advocacies services to the clients. The mailing address and telephone number for this agency are made available to all clients at the facility. The Bluegrass Career Development Center enables reasonable communication between clients and these organizations and agencies, in as confidential a manner as possible. The services of these victim advocates have not been requested or used by the clients during this audit cycle, verified by phone call. PREA Posters throughout the facility provide clients with contact information for the Center for Women and Families. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.253 (b) The Bluegrass Career Development Center informs clients, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws. Posters located throughout the facility, inform the clients that communications with victim advocacy services are free and confidential. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.253 (c) The Bluegrass Career Development Center has entered into a Memorandum of Understanding between the Commonwealth of Kentucky, Justice and Public Safety Cabinet, Department of Corrections, and the Bluegrass Career Development Center Clinical Coordinator which agrees to provide outside victim advocacies services to the clients. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.254: Third-party reporting

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.254 (a)

- Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment? Yes No

- Has the agency distributed public information on how to report sexual abuse and sexual harassment on behalf of a client? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on the review of the Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA); as well as a review of the website outlining third party reporting, the following delineates the audit findings regarding this standard:

115.54 The Bluegrass Career Development Center provides multiple methods for receiving third-party reports of sexual abuse and sexual harassment on the agency website. The information available on the website (<http://foothillscap.org/programs/liberty-place-recovery-center-for-women>) explains how to report sexual abuse and sexual harassment on behalf of a client. The facility takes all reports seriously no matter how they are received and investigates each reported incident. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

OFFICIAL RESPONSE FOLLOWING A CLIENT REPORT

Standard 115.261: Staff and agency reporting duties

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.261 (a)

- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency? Yes No
- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against clients or staff who reported an incident of sexual abuse or sexual harassment? Yes No
- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation? Yes No

115.261 (b)

- Apart from reporting to designated supervisors or officials, do staff always refrain 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 No

115.261 (c)

- Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section? Yes No

- Are medical and mental health practitioners required to inform clients of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services? Yes No

115.261 (d)

- If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable person's statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws? Yes No

115.261 (e)

- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), staff interviews, and documentation provided; the following delineates the audit findings regarding this standard:

115.261 (a) The Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of The Bluegrass Career Development Center; retaliation against clients or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. The Facility Director stated there has not been a report of sexual harassment or sexual abuse during this audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.261 (b) Other than reporting to immediate supervisors and the Kentucky State Police, the Bluegrass Career Development Center staff, volunteers, and contractors shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in the agency's policy, to make treatment, investigations, and other security and management decisions. Staff shall submit a report of any allegations as soon as practical to the PREA Coordinator. This was confirmed during interviews with random staff. The Facility Director stated there has not been a report of sexual harassment or sexual abuse during this audit cycle. Therefore, this part of the standard is not applicable during this audit.

115.261 (c) Kentucky is a mandatory reporting state for sexual abuse. There is no part-time or full-time medical or mental health staff at the facility. The Facility Director stated there has not been a report of sexual harassment or sexual abuse during this audit cycle. Therefore, this part of the standard is not applicable during this audit.

115.261 (d) If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, the Bluegrass Career Development Center reports the allegation to the designated State or local services agency. The Facility Director stated there has not been a report of sexual harassment or sexual abuse during this audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.261 (e) The Bluegrass Career Development Center reports all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the agency investigator as required. Staff shall submit a report of any allegations as soon as practical to the PREA Coordinator. This was confirmed during interviews with random staff. The Facility Director stated there has not been a report of sexual harassment or sexual abuse during this audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.262: Agency protection duties

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.262 (a)

- When the agency learns that a client is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the Client? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), staff interviews, and documentation provided; the following delineates the audit findings regarding this standard:

115.262 Policy and staff training require all staff to take immediate action and staff acknowledged during their interviews the requirement of all staff to protect clients when it is learned that a client at the Bluegrass Career Development Center is subject to a substantial risk of imminent sexual abuse. The Facility Director stated there has not been a report of sexual harassment or sexual abuse during

this audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.263: Reporting to other confinement facilities

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.263 (a)

- Upon receiving an allegation that a Client 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 No

115.263 (b)

- Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation? Yes No

115.263 (c)

- Does the agency document that it has provided such notification? Yes No

115.263 (d)

- Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on The Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), staff interviews, and documentation provided; the following delineates the audit findings regarding this standard:

115.263 (a) According to the Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), upon receiving an allegation that a client was sexually abused while confined at another facility, the Director of the Bluegrass Career Development Center that received the allegation notifies the head of the facility or appropriate office where the alleged

abuse occurred. The Facility Director stated they had not received such an allegation during the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.263 (b) and (c) According to Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), such notification is provided as soon as possible, but no later than 72 hours after receiving the allegation, and all actions are thoroughly documented. The notification is documented. The Facility Director stated they had not received such an allegation during the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.263 (d) Upon receiving a call from an outside facility that a client had been sexually abused while in the custody of the Bluegrass Career Development Center. The allegation is referred immediately to the PREA investigator to be investigated. The Facility Director stated they had not received such an allegation during the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.264: Staff first responder duties

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.264 (a)

- Upon learning of an allegation that a Client was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?
 Yes No
- Upon learning of an allegation that a Client 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 No
- Upon learning of an allegation that a Client 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 No
- Upon learning of an allegation that a Client 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 No

115.264 (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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on the Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), staff interviews, workstation PREA information, and documentation provided; the following delineates the audit findings regarding this standard:

115.264 (a) The Bluegrass Career Development Center Guideline PREA policy, outlines the responsibilities of all security staff members upon learning of an allegation that a client was sexually abused, the first responding security staff member shall follow these guidelines:

- (1) Separate the alleged victim and abuser;
- (2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;
- (3) If the abuse occurred within a time period that still allows for the collection of physical evidence, 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; and
- (4) If the abuse occurred within a time period that still allows for the collection of physical evidence, 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. Six out of six random staff demonstrated working knowledge of this process, even though they had not received an allegation of sexual misconduct. Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) states if the crime scene cannot be secured for some reason, the crime scene will be photographed using a camera made available by the Bluegrass Career Development Center Program. The Facility Director stated they had not received such an allegation during the past twelve months. PREA response information is posted at each employee workstation. Staff members are issued a "PREA First Responder Card", outlining their duties if a PREA allegation is made. Therefore, the facility exceeds compliance with this part of the standard during this audit.

115.264 (b) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) mandates when the first staff responder is not a security staff member, they shall advise the alleged victim not to take any actions that could destroy physical evidence, and

then notify security staff immediately. The auditor confirmed compliance based on interviews with and training records of non-security staff. The Facility Director stated they had not received such an allegation during the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.265: Coordinated response

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.265 (a)

- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), staff interviews, and documentation provided; the following delineates the audit findings regarding this standard:

115.265 Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) outlines a written 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. The plan clearly defines the roles and responsibilities of each person involved and the procedures to be followed in detail. Interviews with Response team members confirmed their knowledge of the response plan. The plan includes a five-page Kentucky Department of Corrections after-action form; Sexual Offense Allegation Reporting Form. The Bluegrass Career Development Center has not received a PREA allegation in the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.266: Preservation of ability to protect clients from contact with abusers

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.266 (a)

- 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 clients pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted? Yes No

115.266 (b)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on interviews with The Bluegrass Career Development Center Facility Director; the following delineates the audit findings regarding this standard:

The Bluegrass Career Development Center does not participate in collective bargaining. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.267: Agency protection against retaliation

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.267 (a)

- Has the agency established a policy to protect all clients and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other clients or staff? Yes No

- Has the agency designated which staff members or departments are charged with monitoring retaliation? Yes No

115.267 (b)

- Does the agency employ multiple protection measures, such as housing changes or transfers for Client victims or abusers, removal of alleged staff or Client abusers from contact with victims, and emotional support services for clients or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations? Yes No

115.267 (c)

- 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 clients or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by clients or staff? Yes No
- 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 clients who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by clients or staff? Yes No
- 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: Act promptly to remedy any such retaliation? Yes No
- 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 Client disciplinary reports? Yes No
- 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 Client housing changes? Yes No
- 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 Client program changes? Yes No
- 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 No
- 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 No
- Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need? Yes No

115.267 (d)

- In the case of clients, does such monitoring also include periodic status checks?
 Yes No

115.267 (e)

- 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 No

115.267 (f)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), staff interviews, client interviews, and documentation provided; the following delineates the audit findings regarding this standard:

115.267 (a) The Bluegrass Career Development Center has a policy that outlines the protective measures for all clients and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other clients or staff and designates which staff members or departments are charged with monitoring retaliation. The Facility Director is the facility's Retaliation Monitor. Monitoring is documented on a specific "Protection against Retaliation Monitoring Form"; there are separate forms for staff and clients. The facility has not received any allegation of sexual abuse during this audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.267 (b) The Bluegrass Career Development Center employs multiple protection measures, such as housing changes or transfers for clients, victims or abusers, removal of alleged staff or client abusers from contact with victims, and emotional support services for clients or staff that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations. The Facility Director is the facility's Retaliation Monitor. The facility has not received any allegation of sexual abuse during this audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.267 (c) and (d) For at least 90 days following a report of sexual abuse, the Bluegrass Career Development Center monitors the conduct and treatment of clients or staff who reported the sexual abuse and of clients who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by clients or staff and act promptly to remedy any such retaliation. There are periodic status checks performed and documented. The Bluegrass Career Development Center monitoring includes any client disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. Such monitoring continues beyond 90 days if the initial monitoring indicates a continuing need. A Facility Director is the facility's Retaliation Monitor. The facility has not received any allegation of sexual abuse during this audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.267 (d) If any other individual who cooperates with an investigation expresses a fear of retaliation The Bluegrass Career Development Center takes appropriate measures to protect that individual against retaliation. This was confirmed during an interview with the Retaliation Monitor. The Facility Director is the facility's Retaliation Monitor. The facility has not received any allegation of sexual abuse during this audit cycle. Monitoring is documented on a specific "Protection against Retaliation Monitoring Form"; there are separate forms for staff and clients. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

INVESTIGATIONS

Standard 115.271: Criminal and administrative agency investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.271 (a)

- 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/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.221(a).) Yes No NA
- Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.221(a).) Yes No NA

115.271 (b)

- Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.234? Yes No

115.271 (c)

- Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data? Yes No
- Do investigators interview alleged victims, suspected perpetrators, and witnesses?
 Yes No
- Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator? Yes No

115.271 (d)

- When the quality of evidence appears to support a 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 No

115.271 (e)

- 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 client or staff?
 Yes No
- Does the agency investigate allegations of sexual abuse without requiring a client who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding? Yes No

115.271 (f)

- Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse? Yes No
- 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 findings? Yes No

115.271 (g)

- 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 No

115.271 (h)

- Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?
 Yes No

115.271 (i)

- Does the agency retain all written reports referenced in 115.271(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years? Yes No

115.271 (j)

- Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation? Yes No

115.271 (k)

- Auditor is not required to audit this provision.

115.271 (l)

- 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 115.221(a).) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based upon review of the Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), investigative staff interviews, training certificates, Memorandum of Understanding with the Kentucky Department of Corrections, Sexual Offense Allegation Reporting Form, as well as interviews with the PREA Coordinator, and the Program Director; the following delineates the audit findings regarding this standard:

115.271 (a) Kentucky State Patrol investigators conduct Bluegrass Career Development Center an investigation immediately when notified of an allegation of sexual abuse and sexual harassment. The Bluegrass Career Development Center facility is establishing a Memorandum of Understanding in place with the Kentucky State Police to investigate all sexual abuse allegations. There were no investigation files for the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.271 (b) Based on training curriculums provided, Kentucky State Police Investigators training file review, and investigative staff interviews, it was evident the facility provided, in addition to the general training received by all employees, specialized training to its investigators. This training included techniques for interviewing 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. All Kentucky State Police receive training in sexual abuse investigations during basic training at the State Police Academy including techniques for interviewing sexual abuse victims, proper use of Miranda warnings, sexual abuse evidence collection at crime scenes including in confined settings, and the criteria as the evidence required to substantiate a case for prosecution referral according to a Captain with the Kentucky State Police Academy. There were no investigation files for the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.271 (c) Kentucky State Police investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; interview alleged victims, suspected perpetrators, and witnesses; and review prior complaints and reports of sexual abuse involving the suspected perpetrator. All Kentucky State Police receive training in sexual abuse investigations during basic training at the State Police Academy including techniques for interviewing sexual abuse victims, proper use of Miranda warnings, sexual abuse evidence collection at crime scenes including in confined settings, and the criteria as the evidence required to substantiate a case for prosecution referral according to a Captain with the Kentucky State Police Academy. There were no investigation files for the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.271 (d) When the quality of evidence appears to support a criminal prosecution, the Bluegrass Career Development Center refers the case to the Kentucky State Police criminal investigation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.271 (e) The credibility of an alleged victim, suspect, or witness is assessed on an individual basis and is not determined by the person's status as a client or staff. The client who alleges sexual abuse is not required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation. There were no investigation files for the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.271 (f) Bluegrass Career Development Center administrative investigations include efforts to determine whether staff actions or failures to act contributed to the abuse; and are documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative Bluegrass Career Development Center and findings. There were no investigation files for the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.271 (g) Kentucky State Police criminal investigations are documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible. All Kentucky State Police receive training in sexual abuse investigations during basic training at the State Police Academy including techniques for interviewing sexual abuse victims, proper use of Miranda warnings, sexual abuse evidence collection at crime scenes including in confined settings, and the criteria as the evidence required to substantiate a case for prosecution referral according to a Captain with the Kentucky State Police Academy. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.271 (h) The Kentucky State Police refer all sexual abuse investigations to the Madison County District Attorney's Office and prosecution when warranted. There were no investigation files for the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.271 (i) KDOC retains all written reports for as long as the alleged abuser is incarcerated or employed by the Bluegrass Career Development Center plus five years. There were no investigation files for the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.271 (j) The departure of the alleged abuser or victim from employment or control of the Bluegrass Career Development Center or agency does not provide a basis for terminating an investigation. There were no investigation files for the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.271 (k) The Kentucky State Police conduct Bluegrass Career Development Center criminal sexual abuse investigations pursuant to the requirements of this standard. The Bluegrass Career Development Center PREA Policy outlines the requirements of the criminal investigation and complies with all Bluegrass Career Development Center of this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.271 (l) Bluegrass Career Development Center refers all criminal cases to the Kentucky State Police and cooperates with their investigators during the entire investigation. The facility remains informed of the progress of the investigation through communication between the agency investigator and the Kentucky State Police agent handling the case. All Kentucky State Police receive training in sexual abuse investigations during basic training at the State Police Academy including techniques for interviewing sexual abuse victims, proper use of Miranda warnings, sexual abuse evidence collection at crime scenes including in confined settings, and the criteria as the evidence required to substantiate a case for prosecution referral according to a Captain with the Kentucky State Police Academy. There were no investigation files for the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.272: Evidentiary standard for administrative investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.272 (a)

- 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 No

Auditor Overall Compliance Determination

Exceeds Standard (*Substantially exceeds requirement of standards*)

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

Does Not Meet Standard (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based upon review of the Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), and investigative staff interviews; the following delineates the audit findings regarding this standard:

The Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), outlines that the agency imposes no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. All Kentucky State Police receive training in sexual abuse investigations during basic training at the State Police Academy including techniques for interviewing sexual abuse victims, proper use of Miranda warnings, sexual abuse evidence collection at crime scenes including in confined settings, and the criteria as the evidence required to substantiate a case for prosecution referral according to a Captain with the Kentucky State Police Academy. This was confirmed during an interview with the PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.273: Reporting to clients

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.273 (a)

- Following an investigation into a client's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the client as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded? Yes No

115.273 (b)

- If the agency did not conduct the investigation into a client's allegation of sexual abuse in the agency's facility, does the agency request the relevant information from the investigative agency in order to inform the client? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.) Yes No NA

115.273 (c)

- Following a client's allegation that a staff member has committed sexual abuse against the Client unless the agency has determined that the allegation is unfounded, or unless the client has been released from custody, does the agency subsequently inform the client whenever: The staff member is no longer posted within the client's unit? Yes No
- Following a client's allegation that a staff member has committed sexual abuse against the Client unless the agency has determined that the allegation is unfounded, or unless the client has been released from custody, does the agency subsequently inform the client whenever: The staff member is no longer employed at the facility? Yes No
- Following a client's allegation that a staff member has committed sexual abuse against the client unless the agency has determined that the allegation is unfounded, or unless the client has been released from custody, does the agency subsequently inform the client whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility? Yes No
- Following a client's allegation that a staff member has committed sexual abuse against the Client unless the agency has determined that the allegation is unfounded, or unless the client has been released from custody, does the agency subsequently inform the client whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility? Yes No

115.273 (d)

- Following a client's allegation that he or she has been sexually abused by another client, 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 No
- Following a client's allegation that he or she has been sexually abused by another client, 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 No

115.273 (e)

- Does the agency document all such notifications or attempted notifications? Yes No

115.273 (f)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)

Does Not Meet Standard (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based upon a review of Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), Offender Notification Form, and investigative staff interviews; the following delineates the audit findings regarding this standard:

115.273 (a) Based on the Bluegrass Career Development Center Policy 26.2, it was confirmed that following an investigation into a client's allegation she suffered sexual abuse in the facility, the client was to be informed whether the allegation had been determined to be substantiated, unsubstantiated, or unfounded. The documentation provided confirmed that clients will be provided this notification on the "Offender Notification - PREA Alleged Sexual Assault" form. The clients will be required to sign the form documenting acknowledgment of this notification as required. However, there were no PREA incidents reported during this audit cycle so compliance was determined on policy and sample forms. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.273 (b) The agency will request all relevant information from the criminal investigation conducted by the Kentucky State Police in order to inform the client as required by this standard. The PREA Coordinator revealed there were no PREA investigations for the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.273 (c) Based on the Bluegrass Career Development Center Policy 26.2 and documentation provided, it was confirmed that following a client's allegation that a staff member has committed sexual abuse against the Client, the agency shall subsequently inform the client (unless the agency has determined that the allegation is unfounded) whenever:

- (1) The staff member is no longer posted within the client'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 sexual abuse within the Bluegrass Career Development Center, Inc.; or
- (4) The agency learns that the staff member has been convicted on a charge related to sexual abuse within The Bluegrass Career Development Center

The documentation provided confirmed the clients will be provided this notification on the "Offender Notification - PREA Alleged Sexual Assault" form. The clients are required to sign the form documenting acknowledgment of this notification as required. The PREA Coordinator stated there were no PREA investigations during the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.273 (d) Following a client's allegation they had been sexually abused by another client, the Bluegrass Career Development Center subsequently informs the alleged victim whenever the facility learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or the Bluegrass Career Development Center learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility. The documentation provided confirmed that clients will be provided this notification on the "Offender Notification - PREA Alleged Sexual Assault" form. The clients are required to sign the form documenting acknowledgment of this notification as required.

The PREA Coordinator stated there were no PREA investigations during the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.273 (e) All such notifications or attempted notifications are documented, based on the “Offender Notification - PREA Alleged Sexual Assault” form. The PREA Coordinator stated there were no PREA investigations during the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.273 (f) Policy outlines the agency’s obligation to report under this standard terminates if the client is released from the Bluegrass Career Development Center custody. The PREA Coordinator stated there were no PREA investigations during the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

DISCIPLINE

Standard 115.276: Disciplinary sanctions for staff

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.276 (a)

- Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies? Yes No

115.276 (b)

- Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse? Yes No

115.276 (c)

- 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 committed, the staff member’s disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories? Yes No

115.276 (d)

- 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 No
- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based upon a review of the Bluegrass Career Development Center PREA policy, documentation provided, Executive Officer, and PREA Coordinator interviews; the following delineates the audit findings regarding this standard:

115.276 (a) and (b) Staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. Termination is the presumptive disciplinary sanction for staff who have engaged in sexual abuse. This is outlined in the Bluegrass Career Development Center PREA Policy. The PREA Coordinator stated there were no PREA investigations during the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.276 (c) 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 offense committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. The PREA Coordinator stated there were no PREA investigations during the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.276 (d) 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 unless the activity was clearly not criminal, and to any relevant licensing bodies. The PREA Coordinator stated there were no PREA investigations during the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.277: Corrective action for contractors and volunteers

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.277 (a)

- Is any contractor or volunteer who engages in sexual abuse prohibited from contact with clients? Yes No
- Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies unless the activity was clearly not criminal? Yes No
- Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies? Yes No

115.277 (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 clients? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based upon a review of The Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), the documentation provided, and PREA Coordinator interviews; the following delineates the audit findings regarding this standard:

115.277 (a) Any contractor or volunteer who engages in sexual abuse is prohibited from contact with clients and is reported to law enforcement unless the activity was clearly not criminal, and to relevant licensing bodies. During an interview with the PREA Coordinator, it was determined the Bluegrass Career Development Center has not had a volunteer or contract by accused of any form of sexual misconduct. The PREA Coordinator stated there were no PREA investigations during the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.277 (b) The Bluegrass Career Development Center takes appropriate remedial measures and considers whether to prohibit further contact with clients, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer. During an interview with the PREA Coordinator, it was determined the Bluegrass Career Development Center has not had a volunteer or contract by accused of any form of sexual misconduct. The PREA Coordinator stated there were no PREA investigations during the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.278: Interventions and disciplinary sanctions for clients

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.278 (a)

- Following an administrative finding that a client engaged in client-on-client sexual abuse, or following a criminal finding of guilt for client-on-client sexual abuse, are clients subject to disciplinary sanctions pursuant to a formal disciplinary process? Yes No

115.278 (b)

- Are sanctions commensurate with the nature and circumstances of the abuse committed, the client's disciplinary history, and the sanctions imposed for comparable offenses by other clients with similar histories? Yes No

115.278 (c)

- When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether a client's mental disabilities or mental illness contributed to his or her behavior? Yes No

115.278 (d)

- 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 require the offending client to participate in such interventions as a condition of access to programming and other benefits? Yes No

115.278 (e)

- Does the agency discipline a Client for sexual contact with staff only upon a finding that the staff member did not consent to such contact? Yes No

115.278 (f)

- 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 No

115.278 (g)

- If the agency prohibits all sexual activity between clients, does the agency always refrain from considering non-coercive sexual activity between clients to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between clients.) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based upon a review of The Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), the Kentucky Department of Corrections Policy 15.2 Rule Violations and Penalties, the documentation provided, and PREA Coordinator interviews; the following delineates the audit findings regarding this standard:

115.278 (a) Clients are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the client engaged in client-on-client sexual abuse or following a criminal finding of guilt for Client-on-Client sexual abuse. During an interview with the PREA Coordinator, it was determined The Bluegrass Career Development Center has not had a client be accused of any form of sexual misconduct. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.278 (b) Sanctions are commensurate with the nature and circumstances of the abuse committed, the Client's disciplinary history, and the sanctions imposed for comparable offenses by other clients with similar histories. The PREA Coordinator stated there were no PREA investigations during the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.278 (c) The disciplinary process considers whether a client's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction if any, should be imposed. The Kentucky Department of Corrections Policy 15.2 Rule Violations and Penalties outlines this practice. The PREA Coordinator stated there were no PREA investigations during the past twelve months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.278 (d) There is no therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse offered at the facility. During an interview with the PREA Coordinator, it was determined the Bluegrass Career Development Center has not had a client be accused of any form of sexual misconduct. Therefore, this part of the standard was found to be non-applicable to this facility during this audit cycle.

115.278 (e) The Bluegrass Career Development Center disciplines a client for sexual contact with staff only upon a finding that the staff member did not consent to such contact. During an interview with the PREA Coordinator, it was determined the Bluegrass Career Development Center has not had a client be accused of any form of sexual misconduct. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.278 (f) The Facility Director reported that a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred does not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.

During an interview with the PREA Coordinator, it was determined the Bluegrass Career Development Center has not had a client be accused of any form of sexual misconduct. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.278 (f) The Bluegrass Career Development Center prohibits all sexual activity between clients and may discipline clients for any such activity. The Kentucky Department of Corrections Policy 15.2 Rule Violations and Penalties outlines this practice. This was confirmed during an interview with the PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

MEDICAL AND MENTAL CARE

Standard 115.282: Access to emergency medical and mental health services

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.282 (a)

- Do Client 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 No

115.282 (b)

- If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.262? Yes No
- Do security staff first responders immediately notify the appropriate medical and mental health practitioners? Yes No

115.282 (c)

- Are Client 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 No

115.282 (d)

- Are treatment services 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?
 Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on the Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA), Facility Director/PREA Coordinator interview; the following delineates the audit findings regarding this standard:

115.282 (a) The Bluegrass Career Development Center has an agreement with the Baptist Health Hospital to ensure client 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. An interview with the PREA Coordinator confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.282 (b) The Bluegrass Career Development Center PREA Policy outlines the procedures to be followed in the event of sexual abuse at the facility. There are no qualified medical or mental health practitioners at the facility, these services are provided by medical – Baptist Health. Security staff first responders take preliminary steps to protect the victim and shall immediately notify the appropriate medical and mental health practitioners and arrange transport to the Baptist Health Hospital for treatment. The PREA Coordinator confirmed this practice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.282 (c) The Bluegrass Career Development Center ensures client 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. These services would be offered at Baptist Health Hospital according to the PREA Coordinator. The Bluegrass Career Development Center has not had an allegation of sexual abuse during this audit cycle according to the Facility Director. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.282 (d) The Bluegrass Career Development Center requires that all treatment services provided to the victim are without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. The Bluegrass Career Development Center has not had an allegation of sexual abuse during this audit cycle according to the Facility Director. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.283: Ongoing medical and mental health care for sexual abuse victims and abusers

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.283 (a)

- Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all clients who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?
 Yes No

115.283 (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 No

115.283 (c)

- Does the facility provide such victims with medical and mental health services consistent with the community level of care? Yes No

115.283 (d)

- Are Client victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if “all-male” facility. *Note: in “all-male” facilities, there may be clients who identify as transgender men who may have female genitalia. The auditor should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.*) Yes No NA

115.283 (e)

- If pregnancy results from the conduct described in paragraph § 115.283(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. *Note: in “all-male” facilities, there may be clients who identify as transgender men who may have female genitalia. Auditor should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.*) Yes No NA

115.283 (f)

- Are Client victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate? Yes No

115.283 (g)

- Are treatment services 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?
 Yes No

115.283 (h)

- Does the facility attempt to conduct a mental health evaluation of all known Client-on-Client abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on the Program Director and PREA Coordinator interviews, documentation provided, and the Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA); the following delineates the audit findings regarding this standard:

115.283 (a) The Bluegrass Career Development Center offers medical and mental health evaluations at the Baptist Health Hospital and, as appropriate, treatment to all clients who have been victimized by sexual abuse in any facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.283 (b) The Bluegrass Career Development Center mandates that 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. The Bluegrass Career Development Center has not had an allegation of sexual abuse during this audit cycle according to the Facility Director. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.283 (c) The Bluegrass Career Development Center provides all victims with medical and mental health services at the Baptist Health Hospital that is a community level of care facility. The Bluegrass Career Development Center has not had an allegation of sexual abuse during this audit cycle according to the Facility Program Director. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.283 (d and e) The Bluegrass Career Development Center is an all-male facility. The agency has a Memorandum of Understanding with the Commonwealth of Kentucky, Justice and Public Safety Cabinet, Department of Corrections, and the Bluegrass Career Development Center Clinical Coordinator which agrees to provide outside victim advocacies services to the clients.

115.283 (f) The Bluegrass Career Development Center provides Client victims of sexual abuse while incarcerated tests for sexually transmitted infections as medically appropriate. These services are provided at the Baptist Health Hospital as determined by the treating physician. The Bluegrass Career Development Center has not had an allegation of sexual abuse during this audit cycle according to the Facility Director. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.283 (g) The Bluegrass Career Development Center provides treatment services 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. The Bluegrass Career Development Center has not had an allegation of sexual abuse during this audit cycle according to the Facility Director. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.283 (h) The Bluegrass Career Development Center will attempt to have a mental health evaluation conducted on all known client-on-client abusers within 60 days of learning such abuse history and offer treatment when deemed appropriate by the mental health practitioners. Services offered are documented on a specific Bluegrass Career Development Center Form. However, as of this audit, there have been no sexual abuse cases reported requiring these services. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

DATA COLLECTION AND REVIEW

Standard 115.286: Sexual abuse incident reviews

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.286 (a)

- 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 No

115.286 (b)

- Does such review ordinarily occur within 30 days of the conclusion of the investigation? Yes No

115.286 (c)

- Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners? Yes No

115.286 (d)

- 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 No

- 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 No
- 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 No
- Does the review team: Assess the adequacy of staffing levels in that area during different shifts? Yes No
- Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff? Yes No
- Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.286(d)(1) - (d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance Coordinator? Yes No

115.286 (e)

- Does the facility implement the recommendations for improvement, or document its reasons for not doing so? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on interviews with the Facility Director, PREA Coordinator, Investigator, Sexual Abuse Incident Review Report, and documentation provided; as well as, the Bluegrass Career Development Center Policy 26.2; the following delineates the audit findings regarding this standard:

115.286 (a) The Bluegrass Career Development Center will 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. Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) states the committee will be made up of at least three persons; including but not limited to, one Administrative Staff member and one Monitor. However, there have been no incidents of sexual abuse reported during the audit cycle to document a review. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.286 (b) The Bluegrass Career Development Center will ensure that these reviews occur within 30 days of the conclusion of the investigation and shall document the review on the "PREA Sexual Abuse Incident Review" form. Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) states the committee will be made up of at least three persons; including but not limited to, one Administrative Staff member and one Monitor. However, there have been no incidents of sexual abuse reported during the audit cycle to document a review. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.286 (c) Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA) states the committee will be made up of at least three persons; including but not limited to, one Administrative Staff member and one Monitor. The PREA Coordinator confirmed, the Bluegrass Career Development Center has not had a PREA incident to review in the past twelve months. The agency has deployed an excellent PREA after-action review form which addresses all elements of the standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.286 (d) The review team considers whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility; and they examine the area in the Bluegrass Career Development Center, where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; assess the adequacy of staffing levels in that area during different shifts; assess whether monitoring technology should be deployed or augmented to supplement supervision by staff. The agency has deployed an excellent PREA after-action review form which addresses all elements of the standard. The PREA Coordinator confirmed, the Bluegrass Career Development Center has not had a PREA incident to review in the past twelve months. Therefore, the facility exceeds the intent of this part of the standard.

115.286 (e) The Bluegrass Career Development Center shall implement the recommendations for improvement, or shall document its reasons for not doing so. The PREA Coordinator confirmed, the Bluegrass Career Development Center has not had a PREA incident to review in the past twelve months. The agency has deployed an excellent PREA after-action review form which addresses all elements of the standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.287: Data collection

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.287 (a)

- 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 No

115.287 (b)

- Does the agency aggregate the incident-based sexual abuse data at least annually? Yes No

115.287 (c)

- 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 No

115.287 (d)

- 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 No

115.287 (e)

- Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its clients? (N/A if the agency does not contract for the confinement of its clients.) Yes No NA

115.287 (f)

- 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.) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on interviews with the Facility Director, PREA Coordinator, and documentation provided; as well as, the Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA); the following delineates the audit findings regarding this standard:

115.287 (a), (b), and (c) The Bluegrass Career Development Center collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions, and aggregates the incident-based sexual abuse data at least annually. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

The incident-based data collected is based on the most recent version of the Survey of Sexual Violence conducted by the Department of Justice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.287 (d) The Bluegrass Career Development Center Agency maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. This was confirmed during an interview with the Facility Director. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.287 (e) The Bluegrass Career Development Center does not contract its clients to other facilities. Therefore, this part of the standard was found not applicable during this audit cycle.

115.287 (f) Upon request, the Bluegrass Career Development Center Agency provides all such data from the previous calendar year to the Department of Justice no later than June 30 when required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.288: Data review for corrective action

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.288 (a)

- Does the agency review data collected and aggregated pursuant to § 115.287 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 No
- Does the agency review data collected and aggregated pursuant to § 115.287 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 No
- Does the agency review data collected and aggregated pursuant to § 115.287 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 No

115.288 (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 No

115.288 (c)

- 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 No

115.288 (d)

- Does the agency indicate the nature of the material redacted where it redacts Bluegrass Career Development Center specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on interviews with the Program Director, PREA Coordinator, and documentation provided as well as the Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA); the following delineates the audit findings regarding this standard:

115.288 (a) The Bluegrass Career Development Center Agency reviews data collected 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 the facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.288 (b) Such reports include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the Bluegrass Career Development Center's progress in addressing sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.288 (c) The Bluegrass Career Development Center's report is approved by the PREA Coordinator and made readily available to the public through its website. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.288 (d) The Bluegrass Career Development Center Agency may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of the

facility but must indicate the nature of the material redacted. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.289: Data storage, publication, and destruction

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.289 (a)

- Does the agency ensure that data collected pursuant to § 115.287 are securely retained?
 Yes No

115.289 (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 No

115.289 (c)

- Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available? Yes No

115.289 (d)

- Does the agency maintain sexual abuse data collected pursuant to § 115.287 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

Based on interviews with the Program Director, PREA Coordinator, and documentation provided as well as the Bluegrass Career Development Center Policy 26.2 for Compliance with Prison Rape Elimination Act of 2003 (PREA); the following delineates the audit findings regarding this standard:

115.289 (a) through (d) The Bluegrass Career Development Center agency Staff makes all aggregated sexual abuse data, from facilities under direct control readily available to the public at least annually through its agencies website.

All reports are securely retained and maintained for at least 10 years after the date of the initial collection unless Federal, State, or Local law requires otherwise. This was corroborated during an interview with the PREA Coordinator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

AUDITING AND CORRECTIVE ACTION

Standard 115.401: Frequency and scope of audits

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.401 (a)

- 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 No

115.401 (b)

- Is this the first year of the current audit cycle? (*Note: a "no" response does not impact overall compliance with this standard.*) Yes 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 No NA
- 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.) Yes No NA

115.401 (h)

- Did the auditor have access to, and the ability to observe, all areas of the audited facility? Yes No

115.401 (i)

- Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)? Yes No

115.401 (m)

- Was the auditor permitted to conduct private interviews with clients? Yes No

115.401 (n)

- Were clients permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

115.401 (a) and (b) The Bluegrass Career Development Center did have an audit during the first audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.401 (h) The auditor has full access to all locations/areas of the Bluegrass Career Development Center. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.401 (i) The auditor did obtain all necessary copies of audit items. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.401 (m) The auditor was allowed to interview clients in a private setting. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.401 (n) The auditor did not receive any correspondence from any of the Bluegrass Career Development Center clients. Audit notices were observed in every housing unit; as well as all common areas. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

Standard 115.403: Audit contents and findings

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.403 (f)

- The agency has published on its agency website, if it has one, or has otherwise made publicly available. The review period is for prior audits completed during the past three years PRECEDING THIS AGENCY 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 that there has never been a Final Audit Report issued.) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds the requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

115.403 The agency has made the final report during the first audit cycle through posting on the agency's website (<http://foothillscap.org/programs/liberty-place-recovery-center-for-women>)

AUDITOR CERTIFICATION

I certify that:

- The contents of this report are accurate to the best of my knowledge.
- No conflict of interest exists with respect to my ability to conduct an audit of the agency under review, and
- I have not included in the final report any personally identifiable information (PII) about any Client or staff member, except where the names of administrative personnel are specifically requested in the report template.

Brian D. Bivens

Auditor Signature

January 18, 2022

Date