

PREA AUDIT: AUDITOR'S FINAL REPORT

ADULT PRISONS & JAILS



Name of facility:		McHenry County Adult Correctional Facility	
Physical address:		2200 N. Seminary Avenue, Woodstock, IL 60098	
Date report submitted:		November 4, 2014	
Auditor Information			
Address:		P.O. Box 11502, Terre Haute, IN 47805	
Email:		killionv@gmail.com	
Telephone number:		812 244-3378	
Date of facility visit:		August 27, 28, 29, 2014	
Facility Information			
Facility mailing address: <i>(if different from above)</i>		Same as above.	
Telephone number:		(815) 338-2144	
The facility is:	<input type="checkbox"/> Military	<input checked="" type="checkbox"/> County	<input type="checkbox"/> Federal
	<input type="checkbox"/> Private for profit	<input type="checkbox"/> Municipal	<input type="checkbox"/> State
	<input type="checkbox"/> Private not for profit		
Facility Type:	<input checked="" type="checkbox"/> Jail	<input type="checkbox"/> Prison	
Name of PREA Compliance Manager: Steve Laudick		Title:	Sergeant
Email address: splaudick@co.mchenry.il.us		Telephone number:	(815) 338-2144
Agency Information			
Name of agency:		McHenry County Sheriff's Office	
Governing authority or parent agency: <i>(if applicable)</i>		Same as above	
Physical address:		2200 N. Seminary Avenue, Woodstock, IL 60098	
Mailing address: <i>(if different from above)</i>		Same as above	
Telephone number:		(815) 338-2144	
Agency Chief Executive Officer			
Name: Keith Nygren		Title:	Sheriff
Email address: knygren@co.mchenry.il.us		Telephone number:	(815) 338-2144
Agency-Wide PREA Coordinator			

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

AUDIT FINDINGS

NARRATIVE:

The PREA audit for the McHenry County Adult Correctional facility was conducted on August 27th through August 29th, 2014 by Vic Killion, Certified PREA Auditor. A tour was conducted of the facility to include all housing units, recreation areas, the booking area, classification, medical and kitchen. PREA information was posted in every housing unit and provides the proper information.

All documents were provided utilizing the Power Document Management System (Power DMS). Several staff were interviewed, to include the UnderSheriff, Deputy Chief, Detective, Administrative Lieutenant, PREA Coordinator, Health Services Administrator, Supervisory Staff (Sergeants and Lieutenant), Training Staff, intake staff, and line officers. Also interviewed were Crisis Center Staff and Local outside hospital Staff. A total of 23 facility staff members, 20 inmates/ICE detainees' (both male and female), and 2 local agency staff were interviewed.

The facility utilizes a PREA Coordinator that holds the rank of Sergeant and serves in the dual role of PREA Compliance Manager, as they are only responsible for the one facility. This auditor found that the PREA Coordinator has sufficient authority to perform this function.

DESCRIPTION OF FACILITY CHARACTERISTICS:

The McHenry County Adult Correctional Facility is a county facility that has a designated capacity of 650 inmates with a current population of 393. They house inmates for the county, Bureau of Prisons, U.S. Navy, U.S. Marshals, and detainees for Immigrations and Customs Enforcement. They currently have 180 staff. They have 19 cell housing Units. They are equipped with CCTV and Intercoms in all areas of the facility, one Central Control Room, five Housing Control Rooms, and one Booking desk. There is medical staff on-site 24/7 and a Medical Housing Unit. In the event a forensic sexual assault medical exam is necessary, the exam is conducted at the Centegra Hospital in Woodstock, IL.

SUMMARY OF AUDIT FINDINGS:

Number of standards exceeded:	5
Number of standards met:	35
Number of standards not met:	0
Not Applicable:	3
Total:	43

§115.11 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator

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

The facility has a written policy mandating zero tolerance toward all forms of sexual abuse and Sexual harassment. It outlines the agency's approach to preventing, detecting, and responding to such conduct. Posters are conspicuously posted throughout the facility for inmates to see. During interviews with staff and inmates it was evident that they were aware of the policy.

§115.12 - Contracting with other entities for the confinement of inmates

- Exceeds Standard (substantially exceeds requirement of standard)
 - Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
 - Does Not Meet Standard (requires corrective action)
- X N/A The facility does not contract with any other entity for confinement of inmates.

§115.13 – Supervision and Monitoring

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

The facility has a good staffing plan and reviews the plan annually. All areas and aspects of the facility area considered. They are in the initial process of planning a video upgrade to include body cameras worn by officers and have made steps to acknowledge PREA requirements for their plan. Their staffing plan has been complied with during the past year. Supervisors conduct rounds unannounced and regularly. Staff are prohibited from alerting other staff of supervisory rounds. This was verified through auditor observation, documentation, and staff interview.

§115.14 –Youthful Inmates

- Exceeds Standard (substantially exceeds requirement of standard)
 - Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
 - Does Not Meet Standard (requires corrective action)
- X N/A The facility does not house anyone under 18 years of age.

§115.15 – Limits to Cross-Gender Viewing and Searches

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

The facility does not conduct cross-gender strip searches or pat searches. In the event of an emergency, policy dictates cross-gender searches would be documented. No cross-gender searches have been conducted by the facility. Inmates/detainees can shower, perform bodily functions, and dress without being observed by staff. Staff members of the opposite gender of those in each housing unit were observed announcing their presence upon entry to that unit. This was observed by the auditor on all three shifts. Staff are trained to conduct transgendered searches. Strip searches are not allowed for the sole purpose of determining gender identification. Inmate/detainee interviews supported this finding.

§115.16 – Inmates with Disabilities and Inmates who are Limited English Proficient

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

The facility has a specific policy for Inmates/Detainees with disabilities to be treated fairly and to comply with the Americans with Disabilities Act and the American Correctional Association Standards of fair treatment for disabled detainees/inmates. They have Telecommunications devices for the deaf (TDD) available. Videos in both English and Spanish are played daily informing inmates/detainees of the PREA information. Sign language interpreters are available from the Government Center, which is physically connected to the jail, when needed. Inmate interpreters are not used in any situation that would compromise an inmate's safety.

§115.17 – Hiring and Promotion Decisions

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

The facility has a policy prohibiting hiring or promoting anyone who has engaged in sexual misconduct. Criminal background checks conducted prior to hiring and are done again annually. Contractors also meet these same requirements. The application asks about any previous crimes or convictions. Subsequent employment background investigations asks previous employer's of any areas of concern or misconduct. Material omissions are grounds for removal from their position. The facility would release information about a former employee if the requesting agency had a signed release from the individual; otherwise, only employment verification would be provided.

§115.18 – Upgrades to Facilities and Technology

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

X N/A The facility has not made a substantial expansion to the existing facility since August 20, 2012.

§115.21 – Evidence Protocol and Forensic Medical Examinations

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

The facility conducts administrative investigations and any investigation that rises to the level of criminal is conducted by the McHenry County Criminal Investigation Division (CID). They are on call 24/7 to respond. In the event they were unavailable or there was a conflict of interest (staff involvement), the Illinois State Police can be called in to investigate. Victims of sexual abuse are provided the same care as anyone in the community. Forensic examinations are conducted at the local hospital (Centegra) where medical examinations are performed by an Emergency Department Physician. A victim advocate from the local Rape Crisis Center is notified and responds. A SANE trained nurse is most commonly accompanying the physician on these examinations. If a SANE trained nurse is not available an Emergency Department Nurse who has been trained on evidence collection, accompanies the physician in completing the examination. This protocol is compliant with current Illinois law. Victim advocates are available from the McHenry County Crisis Center. All services are provided at no cost to the inmate/detainee. Contact was made with both the Crisis Center and Centegra hospital. Both were very responsive to the needs of the facility.

§115.22 – Policies to Ensure Referrals of Allegations for Investigations

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

The agency has a policy in place to refer all allegations of sexual harassment or abuse for investigation to the appropriate entity and all referrals are documented. The agency posts appropriate PREA information on their website for public viewing to include the zero-tolerance requirement and a way to report any incident of sexual misconduct by the public.

§115.31 – Employee Training

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

All staff (180) has received PREA training required by this standard in the last 12 months. The training covers both male and female inmates/detainees as this facility holds males and females. Interviews with Correctional Officers from all shifts verified their knowledge of the requirements of this Standard.

§115.32– Volunteer and Contractor Training

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

All contractors and volunteers have been trained on their responsibilities. The level of training is based on their level of contact with inmates and detainees. They are notified of the zero-tolerance policy regarding sexual abuse and harassment and are informed how to report any incidents. The training is documented and confirmed they understand the elements of these regulations.

§115.33-Inmate Education

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

Inmates/detainees receive information upon entry to the facility via the inmate and detainee handbook and they sign a receipt for them. During a tour of the booking area where inmates and detainee's are first received into the facility, posters are prominently displayed. Posters with this information are also available in every housing unit displayed on the wall. A PREA video is played daily in each housing unit in both English and Spanish detailing all required aspects of this standard. All inmates and detainees at the facility have received this education. The agency has a policy to assist inmates with other physical or mental disabilities in their understanding of the PREA information. Inmate interviews reveal the information is being disseminated to the inmate/detainee population.

§115.34 – Specialized Training: Investigations

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

The Criminal Sexual Abuse Investigations are conducted by the Criminal Investigation Division of the McHenry County Sheriff's Office. The detectives responsible have all taken the National Institute of Corrections training course specialized training on "Investigating Sexual Abuse in Confinement Settings." An interview with one detective who conducts investigations revealed he was very knowledgeable of his responsibilities for investigations and PREA requirements. Administrative investigations at the jail are conducted by Sergeant's who have been trained to conduct those investigations or to refer it to the appropriate authority when appropriate.

§115.35 – Specialized training: Medical and mental health care

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

Correct Care Solutions (CCS) is the contractor that provides medical and mental health services to the facility. Their policy covers how to detect sexual abuse and harassment, preservation of evidence, effectively and professionally responding to victims of sexual abuse and harassment, and how and whom to report allegation or suspicions of sexual abuse and harassment. Forensic examinations are conducted at the local hospital and not at the facility. Records indicate all medical and mental health staff have been training in accordance with this policy. In addition to this specialized training, they have completed the generalized training required for other contractors not associated with the medical or mental health field.

§115.41 – Screening for Risk of Victimization and Abusiveness

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

The facilities policy states that all detainees/inmates shall be screened as part of the booking process, but not to exceed twenty-four hours. This falls well within the 72 hours as called for by this standard. Inmates/detainees are not disciplined if they refuse to answer any questions. After screening, they are again reviewed by classification officers and assigned quarters that reflect their security needs based on all criteria known, including all aspects of this standard. Screening considers the inmate/detainee history for prior victimization of sexual abuse as well as any history of sexual predatory behavior. Inmates can appeal their status by using the inmate grievance process at any time which will trigger a review with classification, as will an incident report, disciplinary action, or any other information that bears on the inmate's risk of sexual victimization. Classification levels for detainees are ultimately determined by ICE (Immigrations and Customs Enforcement) and housing assignments are determined by the facility classification office. All forms involved are kept private and only staff that have a need to view have access to these forms.

§115.42 – Use of Screening Information

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

Housing, bed, work, education, programming assignments are made using all the information received from intake screening as well as information received from any other source. This is accomplished by the classification officers. Each inmate's case is reviewed individually. Transgender or intersex inmates are reviewed to determine where they can be placed to ensure their health and safety and whether their placement would present management or security problems. Re-assessments are conducted every 60 days by classification for all inmates and detainees. Transgender and intersex inmate's views in respect to their own safety are given consideration. Showers in the housing units are all individual stalls; therefore, transgender and intersex inmates shower separately from other inmates. There are no dedicated quarters for lesbian, gay, bisexual, transgender, or intersex inmates.

§115.43 – Protective Custody

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

The facility policy states an inmate or detainee can be placed in Administrative Segregation involuntarily up to 24 hours before initial assessment if it is determined they are at high risk of sexual victimization. Administrative Segregation affords the same privileges to the extent possible of the general housing quarters. They are re-assigned to less restrictive housing as soon as possible. If involuntary segregation is continued, reviews and notification requirements are defined. The inmate or detainee's views are considered. Requirement for this standard are reflected in the facilities policy. There have been no cases in the past 12 months where an inmate was placed in involuntary segregation beyond 30 days.

§115.51 – Inmate Reporting

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

The facility has several ways for an inmate to report sexual abuse or harassment. They can report verbally to any staff member who is required to immediately take appropriate action and report to a supervisor. There is anonymous reporting via a crisis hotline. Posters detailing how to do this are prevalent throughout the facility. Detainees have a further option of reporting to Immigrations and Customs enforcement or the Office of Inspector General hotline. A grievance can be filed at anytime, given to a supervisor if the inmate is uncomfortable dealing with an officer. There is no time limit imposed when the grievance involves sexual abuse or harassment. The jail's website provides a means for persons outside the facility to report anonymously. Staff can provide reports anonymously through a confidential hotline number that goes to the McHenry Criminal Investigative Division. All staff interviewed was aware of this confidential option of reporting.

§115.52 – Exhaustion of Administrative Remedies

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

Policy outlines the different methods and requirements for inmates and detainees to file grievances. The individual does not have to deal with the staff member involved if that staff member is the subject of the complaint. There are numerous methods for the inmate/detainee to submit sexual abuse or harassment grievances. There are no time limits for the detainee to submit a complaint of this nature, but the policy clearly outlines the facilities time table for response. Third parties are permitted to assist inmates or detainees on allegations of sexual abuse, including other inmates/detainees, family members, attorneys, and advocates. The facilities policies clearly reflect all requirements of this standard.

§115.53 – Inmate Access to Outside Confidential Support Services

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

Inmates and detainees have access to outside victim advocates via the McHenry County Care Center. They have an agreement to provide services to the jail. An interview with staff and documentation revealed that the Care Center has advocates on duty 24/7 in the event they are needed. They provide the same level of service to any incarcerated individual that they do the general public. Telephone numbers are prominently posted in the housing units and the calls are not monitored. Immigration Detainees also have the option of the Office of Inspector General's hotline number, which is also not monitored. The facility has agreements with both the McHenry County Care center and Centegra hospital where forensic examinations are conducted to provide services.

§115.54 – Third-Party Reporting

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

The facility has a system in place to allow for third-party reporting. A third-party can call the jail and report a situation. They can fill out a form directly on the website and send it anonymously. They can also send letters to the jail anonymously. In the event a situation is reported to the crisis hotline, the staff from the crisis hotline will report the incident to the jail staff. Communication by this auditor with the crisis hotline staff revealed that when they pass information to the jail, the person who reported it to them will be asked if they wish to remain anonymous and their wishes will be honored.

§115.61 – Staff and Agency Reporting Duties

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

The facility's policy requires staff to report immediately any knowledge, suspicion or information regarding information on sexual abuse or harassment. They are also required to report any retaliation against inmates or staff who have reported such incidents. Staff who become aware of an incident must notify a supervisor immediately and file a PREA incident report. Staff are prohibited from sharing information with anyone other than to the extent necessary. The supervisor (Sergeant) assigns or interviews the inmate and reports to the shift supervisor (Lieutenant). The medical department is made aware and any medical needs are addressed immediately. The Chief and Deputy Chief of Corrections are notified and after initial investigation the Criminal Investigations Division is notified. When an allegation involves an ICE Detainee, an initial report is immediately made to the ICE Field Office in Chicago. Interviews with Correctional Officers reveal they are knowledgeable of this procedure.

§115.62 – Agency Protection Duties

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

All staff interviewed were aware of their duty to report and take immediate steps if they learn an inmate or detainee is of substantial risk of sexual abuse. Policy does require immediate reporting if any problem like this occurs. Supervisors make regular, un-announced rounds to each housing unit to have good lines of communication with Correctional Officers. The daily logs were reviewed and revealed irregular rounds are conducted as required.

§115.63 – Reporting to Other Confinement Facilities

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

There is policy to reflect the reporting requirements when an inmate makes an allegation of sexual abuse when it occurred at another facility. The reporting requirements in policy fall within guidelines of this standard. Review of a report that has occurred at a previous facility was documented properly.

§115.64 – Staff First Responder Duties

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

The facility has a policy outlining first responder’s duties. All staff interviewed responded properly by explaining what to do in the event of a report of sexual abuse. Contractor training appropriately reflects the response of a non-security staff member in regard to preservation of evidence and reporting immediately to security staff.

§115.65 – Coordinated Response

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

The facility has a response plan in the format of a General Order. It explains the actions to be taken in response to an incident of sexual abuse for first responders, medical and mental health staff, investigators, the Criminal Investigations Division, and requirements to be met by the Chief and Deputy Chief of Corrections.

§115.66 – Preservation of ability to protect residents from contact with abusers

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

Review of the facilities’ policy revealed that Staff, contractors or volunteers shall be removed from contact with inmates/detainees if an allegation of sexual abuse is made while an investigation is conducted. The labor agreement does not prohibit this action.

§115.67 – Agency protection against retaliation

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

The facilities policy strictly prohibits retaliation. If there is an allegation against a staff member, regulations allow the staff member to be removed from the situation. The inmate or detainee can also be re-assigned quarters. The facility monitors inmates or detainees for as long as needed beyond the minimal requirements of this standard.

§115.68 – Post-Allegation Protective Custody

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

It is the policy of the facility to house the victim of sexual abuse in the least restrictive housing possible to ensure safety. This may involve placing the victim in involuntary administrative segregation for a short period not to exceed five days. Medical housing is also an option for the victim. An initial assessment is conducted within twenty-four hours of placement in Administrative Segregation. This emergency housing move will trigger a review with the classification department. This review allows time for a more intensive review of all information and determine placement in the least restrictive environment to best match the security needs of the individual.

§115.71 – Criminal and Administrative Agency Investigations

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

The facility conducts administrative investigations on sexual harassment and an investigation rising to the level of criminal conduct is referred to the McHenry County Criminal Investigations Division (CID) detectives. All investigators have received training in sexual abuse investigations. Detectives have been trained on evidence collection procedures. An interview with a Detective at the CID revealed that criminal investigations are coordinated with the State's Attorney's office and are referred for prosecution when appropriate. In the event there is an appearance of conflict of interest, the option exists to call in the Illinois State Police to conduct the investigation. Administrative investigations are conducted in accordance with this standard. If a staff member is the subject of the investigation, the inmate or detainees being transferred or released does not stop the investigation or prosecution.

§115.72 – Evidentiary Standards for Administrative Investigations

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

A review of policy revealed that preponderance of the evidence or lower standard is required for an allegation to be substantiated.

§115.73 – Reporting to inmates

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

Inmates and detainees are informed in writing by the PREA Coordinator of the outcome of a sexual abuse or harassment investigation. In the case of the perpetrator being a staff member, the inmate/detainee is informed of the actions against that staff member if the inmate is still in the facilities custody. The same holds true if the perpetrator is another inmate/detainee.

§115.76 – Disciplinary sanctions for staff

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

Staff are subject to disciplinary sanctions up to and including termination for violating sexual abuse or harassment policies. There have been no instances in the last twelve months. Determinations of actions against staff consider circumstances and staff history. Violations of this standard are reported to the McHenry Criminal Investigations Division who would take over the investigation that rose to a more serious level. The State's Attorney's office would also be consulted and presented the case if appropriate. During an interview with a detective from the Criminal Investigations, he pointed out that if there was a hint of conflict of interest, the Illinois State Police could be called in to conduct the investigation.

§115.77 – Corrective action for contractors and volunteers

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

Any contractor that perpetrates sexual abuse or assault is immediately removed from all duties involved with contact with inmates/detainees pending an outcome of the investigation. They are subject to criminal actions if found culpable.

§115.78 – Disciplinary sanctions for inmates

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

Inmates and detainees are subject to formal disciplinary action for a finding they engaged in inmate-on-inmate sexual abuse. The disciplinary process considers mental disabilities. Mental health counseling is available. In the event of sexual contact with staff, disciplinary action will only be considered if the staff member did not consent. If a report of sexual abuse was made in good faith, even if unsubstantiated, it will not be held against the inmate or detainee.

§115.81 – Medical and mental health screenings; history of sexual abuse

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

Policy requires that inmates/detainees that have sexual victimization issues be seen by the medical and mental health staff within 14 days. Information related to sexual victimization or abusiveness that occurred in an institutional setting is limited to medical and mental health staff and other staff necessary for treatment, security, and management decisions.

§115.82 – Access to emergency medical and mental health services

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

Emergency medical treatment necessary is provided by the local hospital (Centegra) for emergency treatment. They are equipped to perform forensic examinations, treatment necessary, and provide mental health counseling and an advocate. Treatment includes access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with Illinois standards. Staff are trained as first responders to an incident of sexual abuse by protecting the victim, protecting evidence, and making immediate notification to supervisors. Interviews with staff by this auditor confirmed staff are knowledgeable of these procedures. Treatment is provided to the victim at no cost. These procedures occur regardless of the victim's level of cooperation with investigators.

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

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

The facility provides immediate emergency assistance at the local hospital (Centegra) and the medical department provides follow up medical and mental health treatment as necessary. Trained victim advocates can continue contact with the inmate or detainee as necessary. Mental health professionals are available at the facility to assist the victim. If appropriate, victims in need of pregnancy tests will receive those services and if pregnancy results from the abuse, victims receive timely and comprehensive information access to all lawful pregnancy-related medical services. Victims are offered testing for sexual transmitted infections. This is all provided free of charge. An interview with staff at the Centegra local hospital revealed a positive relationship and good lines of communication with jail Staff.

§115.86 – Sexual abuse incident reviews

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

A review of policy indicates the facility conducts a sexual abuse incident review at the conclusion of a sexual abuse investigation. The review occurs within 30 days. The review team consists of upper management with input from supervisors, investigators, and medical and mental health staff. The review team considers all factors identified in this standard and any changes that need to be made in the facility must be implemented or the reason for not implementing them must be documented.

§115.87 – Data Collection

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

The facility collects and submits appropriate data to the Department of Justice via the Survey of Sexual Victimization report, the most recent for 2013. Data is collected and maintained by the PREA Coordinator utilizing the SharePoint electronic data system.

§115.88 – Data Review for Corrective Action

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

Data collected and maintained by the PREA Coordinator, as mentioned in 115.87, is aggregated each January and problems areas are analyzed in order to improve the effectiveness of sexual abuse prevention, detection, response policies, and training. An annual report of findings is prepared. The annual report includes a comparison of the current year's data and corrective actions with those of prior years. It provides an assessment of the Corrections Bureau's progress in addressing sexual abuse. It is reviewed by the Sheriff or Undersheriff and posted to the McHenry County Sheriff's Office Corrections webpage. The document is redacted to specific items that would present a threat to the safety and security of the facility.

§§115.89 – Data Storage, Publication, and Destruction

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

Data collected is securely maintained electronically with access only by the PREA Coordinator and Command Staff that have a justifiable need to access the data. The information is posted on the McHenry County Sheriff's Office Corrections webpage. All personal identifiers are removed before posting.

AUDITOR CERTIFICATION:

The auditor certifies that the contents of the report are accurate to the best of his/her knowledge and no conflict of interest exists with respect to his or her ability to conduct an audit of the agency under review.

Tia R. Killian

Auditor Signature

____October 31, 2014____

Date