

PREA AUDIT REPORT INTERIM FINAL
JUVENILE FACILITIES

Date of report: 5/14/16

Auditor Information			
Auditor name: G. Peter Zeegers			
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Email: pete.zeegers@us.g4s.com			
Telephone number: 863-441-2495			
Date of facility visit: 4/13-4/14/16			
Facility Information			
Facility name: Louisville Metro Youth Detention Center			
Facility physical address: 720 West Jefferson Street, Louisville, Kentucky 40202			
Facility mailing address: <i>(if different from above)</i> Click here to enter text.			
Facility telephone number: 502-574-6177			
The facility is:	<input type="checkbox"/> Federal	<input type="checkbox"/> State	<input checked="" type="checkbox"/> County
	<input type="checkbox"/> Military	<input type="checkbox"/> Municipal	<input type="checkbox"/> Private for profit
	<input type="checkbox"/> Private not for profit		
Facility type:	<input type="checkbox"/> Correctional	<input checked="" type="checkbox"/> Detention	<input type="checkbox"/> Other
Name of facility's Chief Executive Officer: Interim Director Endora Davis			
Number of staff assigned to the facility in the last 12 months: 99			
Designed facility capacity: 96			
Current population of facility: 56			
Facility security levels/inmate custody levels: Maximum Security			
Age range of the population: 10-17			
Name of PREA Compliance Manager: Michele Sharp		Title: Quality Assurance Coordinator	
Email address: michele.sharp@louisvilleky.gov		Telephone number: 502-574-6193	
Agency Information			
Name of agency: Louisville Metro Government			
Governing authority or parent agency: <i>(if applicable)</i>			
Physical address: 720 West Jefferson Street, Louisville, Kentucky 40202			
Mailing address: <i>(if different from above)</i> Click here to enter text.			
Telephone number: 502-573-6177			
Agency Chief Executive Officer			
Name: Endora Davis		Title: Interim Director	
Email address: endora.davis@louisvilleky.gov		Telephone number: 502-574-5308	
Agency-Wide PREA Coordinator			
Name: Michele Sharp		Title: Quality Assurance Director	
Email address: michele.sharp@louisvilleky.gov		Telephone number: 502-574-6193	

AUDIT FINDINGS

NARRATIVE

Louisville Metro Youth Detention Center is a 96 bed staff secure detention facility operated by the Louisville Metro Government. The facility serves adolescent boys and girls ages 10-17, who have been adjudicated delinquent. The youth attend school daily directed by the Jefferson County Public School System. The facility employs 99 full-time staff.

This audit was conducted by certified PREA Auditor G. Pete Zeegers. During the Pre-Audit phase the auditor reviewed a variety of documents provided by the agency and facility. These included policies and procedures, facility plans, protocols, training records, curricula, and other documents related to demonstrate compliance with PREA Standards. The auditor conducted a Pre-Audit conference call a week prior to the on-site audit to provide agency and facility officials with the current status of the audit process, as well as to expand upon and clarify documents that had been submitted. The auditor did not receive any correspondence or requests from staff or detainees prior to the on-site audit.

An on-site PREA Audit was conducted on April 13th and 14th, 2016. The entrance meeting was attended by Endora Davis, Interim Director; Michele Sharp, Quality Assurance Coordinator, who also serves as the Facility PREA Compliance Manager; and G. Pete Zeegers, PREA Auditor. The on-site audit work plan was discussed. Random youth, random staff, and specialized staff were identified for interviewing. Additional documents to be reviewed were obtained. The entrance meeting was followed by a tour of the facility led by Quality Assurance Coordinator Sharp. All areas were viewed, including the administration area, visitation area, intake/admission, kitchen and dining area, master control, education area, indoor and outdoor recreation/leisure areas, and the dorm area. PREA-related informational posters and the PREA audit notices were observed posted throughout the facility. Additionally, informational pamphlets about PREA and the Sexual Assault Crisis Services were observed in every area where staff and youth might congregate. These pamphlets and posters were printed in English and Spanish. No SANE or SAFE staff are employed at the facility; however, these professionals are provided at the Kosair Children's Hospital located in Louisville, Kentucky, where forensic examinations would be conducted at no cost to the youth and/or their family.

Interviews were conducted with the Acting Agency Head, Louisville Metro Youth Detention Center Interim Director, the Quality Assurance Coordinator, who also serves as the Facility PREA Compliance Manager, intake staff, staff who performs screening for abusiveness and victimization, nursing staff, volunteer, mental health, staff who performs unannounced rounds, human resources staff, staff who monitors retaliation, ten custody staff randomly selected from each of the three shifts, and ten youth.

On the day of the on-site audit fifty-six youth were housed at the facility. There were three PREA-related sexual abuse allegations made in the previous twelve months. All were unfounded. One youth reported, during the intake process, previous sexual abuse. No youth identified themselves as being lesbian, gay, bisexual, trans-gender, inter-sex, questioning, or gender nonconforming during the intake process. There were no youth identified as hearing or visually impaired, developmentally delayed, or who had limited English proficiency.

Youth receive information regarding PREA and their rights during the intake process. The PREA information is printed in English and Spanish. Additionally, after youth are admitted to the facility they are provided additional information about sexual abuse and harassment in both individual and group treatment. Youth who have experienced trauma, abuse, or victimization are provided treatment services, as identified in their treatment process.

The Louisville Metro Youth Detention Center was first accredited by the American Correctional Association in 1983 and has successfully achieved re-accreditation status through 2018.

DESCRIPTION OF FACILITY CHARACTERISTICS

The facility is located at 720 West Jefferson Street, Louisville, Kentucky. The tour of the facility was led by Quality Assurance Coordinator Sharp. The facility is clean, in good repair, and well maintained. The main building is spacious enough for the staff and youth, with open hallways and good lighting. The facility is located on four different floors of the building. All areas were viewed. The basement has the staff lounge and laundry room. Entering through a front door on the first floor, there is a lobby where visitors sign-in area. The first floor houses the medical area, master control, intake/admission, and the entrance to outdoor recreation. The kitchen/dining room area and the indoor gymnasium are also on the first floor. The second floor has the seven classrooms and offices. There are four living units in the North Dorm. The South Dorm is vacant. On the third floor there are four living units. Each unit has two showers with doors. Each youth room has a sink and a toilet inside. Cameras are not trained inside the shower rooms.

The PREA Audit Notice was posted on the bulletin boards in various hallways, as well as copies of the PREA brochure written in both English and Spanish. This is the same brochure given to youth during the intake process. Posters containing the PREA hot-line numbers and Youth Detention Services hot-line are prominently posted in the main lobby area and hallways.

SUMMARY OF AUDIT FINDINGS

The on-site audit was conducted on April 13th and 14th, 2016. The ten youth screening instruments were reviewed. All were completed within the 72 hour time frame. The youth education acknowledgment forms were completed on day of intake. All staff background screening was completed, as well as staff PREA training records being timely and complete. Policies and procedures were verified by reviewing staff files and the staff interviews. During the youth interviews, no youth could articulate information about the Victim Advocate group that the facility utilizes. This auditor verified that a group session was conducted and completed by a representative from the Kentucky Association of Sexual Assault Programs (KASAP). The topic was what the local Victim Advocate group offers anyone who needs services.

All Agency Policies that were submitted to this PREA Auditor via thumb drive were reviewed prior to arrival for the on-site audit. Additionally, during the on-site audit many of these documents and relevant information were again reviewed. Louisville Metro Government policies included but not limited to: 1.8(4), 3.1, 5.2, 10.6, 13.1, 14.1, 15.3, 18.2, 18.3, 18.4, 18.5, 18.6, 18.7, 18.8, and 18.10. Additional documents were viewed such as: LMYDC Leadership Organizational Charts, employee and youth handbooks, internal and external facility audit reports, PREA audit guide, PREA audit notices, LMYDC layouts, facility program specific coordinated response plan, PREA juvenile detention standards, statewide and internal PREA-related memos and emails, policy amendment emails, staffing plan, various postings, staffing breakdown and rosters, master schedules, camera listings and locations, various logbooks, Staff Training Acknowledgement Forms, various staff trainings, youth educational information, Agency Mission Statements, and MOU's and agreements.

The results of the audit indicate that the facility is in full compliance with PREA Standards. A final report is being issued. The facility staff were very helpful, very professional, and well versed in PREA activities at the facility level. The facility response to privacy concerns confirms the facility commitment ensuring to the safety of all youth. It was a pleasure to work with the Interim Director and her staff.

Number of standards exceeded: 3

Number of standards met: 30

Number of standards not met: 0

Number of standards not applicable: 8

Standard 115.311 Zero tolerance of sexual abuse and sexual harassment; PREA Coordinator

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

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

Policy 18.2 mandates zero tolerance toward all forms of sexual abuse and sexual harassment in the facility. The policy details the systems used to prevent, detect, and respond to sexual abuse and sexual harassment. The definitions of prohibited behaviors are clearly defined, as well as the sanctions for those who violate the policy.

The agency has designated an Agency PREA Coordinator. She is very knowledgeable of PREA requirements and devotes sufficient time and effort in assisting facility staff with PREA-related issues. She has the authority to implement corrective actions if violations occur. She is also the Facility PREA Compliance Manager and reports that she has sufficient time and authority to coordinate the facility’s compliance with the PREA standards.

Standard 115.312 Contracting with other entities for the confinement of residents

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

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This standard is N/A. The Louisville Metro Government does not contract with other agencies for the confinement of residents.

Standard 115.313 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)

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corrective actions taken by the facility.

Policy 14.1 meets all the elements of the standard. The staffing plan has been completed and was updated on 3/2//2016. The facility embraces the practice of unannounced rounds. Unannounced rounds are documented in logbooks, shift reports, and sign-in forms. Staff interviews and review of documentation confirmed this practice.

Standard 115.315 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)

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Policies 10.6 and 14.1 state that staff will be trained in cross gender pat down searches and for use only in exigent circumstances. A review of the training files verify that the training was completed. Facility policy prohibits searching or physically examining a trans-gender or inter-sex youth for the sole purpose of determining the youth's genital status. This was confirmed during youth interviews. Staff interviews verified how and when to conduct cross gender pat down searches.

Each shower room has a door for privacy. Staff members are posted in each living unit when showers and/or bathrooms are in use. Review of the policies and interviews with staff and youth confirmed that opposite gender staff are not permitted to enter or remain in the shower areas of youth. None of the cameras field of view includes youth showers area. Toilets and sinks are in each room.

The facility uses the practice of opposite gender staff announcing their presence when entering into the pod. Staff interviews confirmed the practice. Youth interviews also verify that opposite gender staff announce their presence when entering the living units.

Standard 115.316 Residents with disabilities and residents who are limited English proficient

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

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

Policy 18.6 prohibits the use of youth translators, youth readers, or other types of assistance. Youth interviews confirmed that youth are not asked, nor have been asked, to provide interpretive services. The facility uses Language Services for interpreter services. If it is determined that a youth has limited reading skills, intake and screening staff will read the written materials to the youth until they acknowledge that they understand. All staff during interviews verified their knowledge of this standard. They know that they do not ask for youth interpreters or readers. During interviews staff indicated that they are aware of the

Language Services line and how to access and document.

Standard 115.317 Hiring and promotion decisions

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

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

The agency conducts extensive background checks and reference checks with multiple entities at hire according to policies 3.1 and 13.1. Background checks are also completed for promotions within the facility and the agency. The Agency conducts background checks every 5 years. Policy addresses all of the elements of this standard. All personnel files reviewed met the standard criteria. Staff interviews validate the policy.

Standard 115.318 Upgrades to facilities and technologies

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

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

This standard is N/A as there have been no facilities and technology upgrades

Standard 115.321 Evidence protocol and forensic medical examinations

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

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

The facility does not conduct criminal investigations according to policy 18.3. Administrative investigations are conducted by the facility with the criminal investigations conducted by the Louisville Police Department.

Forensic medical exams, when needed, would be conducted at the Kosair Children's Hospital located in Louisville, Kentucky, at no cost to the youth or their family.

The facility possesses an MOU with the Center of Women and Families.

Standard 115.322 Policies to ensure referrals of allegations for investigations

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

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

Policy 18.4 ensures that an administrative or criminal investigation is completed. Administrative investigations are conducted by the facility. Allegations that are criminal in nature are reported to the Louisville Metro Police Department.

There were three PREA-related allegations made in the previous 12 months. Staff interviews confirm their knowledge of their reporting duties.

Standard 115.331 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)

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All current staff have completed both facility and Kentucky State PREA Training which includes all of the required topics. The PREA training is required every other year. There is also refresher training as available. This training is specific to youth who are referred for treatment at this facility. Staff also review and sign the Kentucky State Acknowledgment and Notification PREA form. Staff interviews confirmed this practice.

Standard 115.332 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)

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The facility does utilize volunteers and/or contractors, and they are required to complete facility mandatory PREA training. Documentation was available and reviewed. The volunteer/contractor interview verified the training completion.

Standard 115.333 Resident education

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

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

Initial youth education is provided during the intake admission process per policy 18.7. Youth are provided a PREA pamphlet in English and Spanish. They are also provided additional written material on their right to be safe from sexual violence and information and how to report abuse or to request services. If it is determined that a youth has limited reading skills, intake staff will read the written materials to the youth. The facility uses Language Services phone service to assist a Non-English speaking youth. The youth watch a PREA video during intake. All youth interviews confirmed that they understood the PREA education receive and articulated their rights and the various ways they can report an allegation.

This information is further reviewed in greater detail and supplemented with groups and individual counseling sessions within a few days of arrival.

Posters displaying the phone numbers for PREA hot-line and the Youth Detention Services hot-line are visible to youth and staff in the hallways and main lobby area.

Standard 115.334 Specialized training: Investigations

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These

recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This standard is N/A. The facility does not conduct criminal investigations.

Standard 115.335 Specialized training: Medical and mental health care

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

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

Medical and Mental Health staff receive specialized Medical and Mental Health professional training through the State of Kentucky. LMYDC has a Mental Health clinician to meet the mental health needs of the facility. There are Medical staff located at the facility. The clinicians are available in person or via phone and/or whenever needed. The specialized training meets the PREA training requirements. Medical and mental health staff also receive the same PREA training as other staff. Training documentation, as well as interviews with Mental Health and Medical staff verified the training. The facility does not conduct forensic medical exams.

Standard 115.341 Screening for risk of victimization and abusiveness

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

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

Policy 18.6 addresses risk screening. All youth receive a screening at intake, every six months, as new information is obtained, and if a youth alleges, or is alleged, to have been a perpetrator of sexual abuse. The facility utilizes the Admission and Placement Screening form, which contains the elements required by the standard. If the results from the Risk Assessment Tool indicates a probability for victimization or sexually aggressive behavior and/or violent behavior, the youth shall be assigned to an appropriate room close to staff posts. If the screening indicates that a youth has experienced prior victimization or has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, the intake staff shall offer the youth a follow-up meeting with a facility mental health and/or medical specialist. The follow-up shall be completed within 14 days. The Intake staff also completes a review of any other medical and mental health screenings that may have been conducted, as well as conversations with the youth during the admission process. Existing court records and case files are also reviewed, if available. Policy requires intake staff, as part of the risk screening process, to ask youth about any gender non-conforming appearance, mannerisms, or identification as LGBTQI. Files showed that all screenings were conducted within 72 hours of intake. Youth interviews confirmed that they received a risk screening during the admission process. Interviews with specialized staff who perform the risk screenings confirmed the comprehensive nature of the screenings and how housing

decisions are made. Facility policy strictly controls the dissemination of information gathered from the screening on a “need to know” basis. Staff interviews confirm that the procedure is followed. Youth interviews verify the procedure.

Standard 115.342 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)

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The facility has eight dorm areas with the capability of housing 96 youth. The current housing and work assignments classification system is based on the assessment results. Screening, assessment, and collateral information gathered during the intake process is used to place youth in a bed that best ensures each youth’s safety and security according to policy 18.6. Treatment services are provided on site. The facility does not utilize isolation as a form of placement for LGBTQI youth. There were no lesbian, gay, bisexual, trans-gender, questioning, or inter-sex youth in the program during the audit. Facility policy prohibits housing and related assignments based solely on sexual orientation or identification. This was confirmed through staff interviews. Each youth’s safety is paramount in making these assignments, regardless of other issues.

Standard 115.351 Resident reporting

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

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Policy 18.3 meets the requirements of the standard. Youth interviews confirmed that the facility provides multiple, internal ways for youth to privately report sexual abuse or harassment and retaliation by youth or staff. The youth identified the reporting numbers for state agencies listed on the posters in the hallways, as being one way of reporting. The external reporting agency is Youth Detention Services hot-line. Youth also stated that they can confide in their lawyer, their Juvenile Service Worker, tell a family member, or tell a staff member. Youth also confirmed that they have access to writing materials during the school day, as well as in the dorm area. Staff interviews confirmed that staff accept all reports whether verbal or written, and from any source. The interviews also confirmed that staff can privately report sexual abuse or harassment of residents using the PREA hotline and/or the Youth Detention Services hot-line.

Standard 115.352 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)

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Although there is a facility grievance procedure available for the youth, PREA allegations are not officially utilized by the youth in this capacity. The Facility Superintendent verified that if a youth turns in a PREA allegation through the grievance procedure, it is immediately reported to the appropriate agencies. This standard is N/A.

Standard 115.353 Resident access to outside confidential support services

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

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

The facility currently has an MOU with the Center for Women and Families to provide a victim advocate and supportive services to youth upon request. Posters containing the Center for Women and Families hot-line number are prominently posted in the hallways and lobby area. Youth interviews confirmed that they are aware of these posters and their right to call and receive confidential support services. During interviews, the youth could not articulate the services that Center for Women and Families agency offered. During the 30 day time frame after the on-site audit the Kentucky Association of Sexual Assault Programs came in and trained all youth on what the Center for Women and Families offered. Information was verified by the auditor. The date completed was 4/22/2016.

Staff and youth interviews confirmed that staff provide youth with the limitations of confidentiality regarding mandatory reporting laws. Youth communications are not monitored. Youth interviews confirmed that youth who have attorneys can communicate with them confidentially. No youth reported being denied access to their attorneys. All youth reported family visitation and have not been denied access to their families. All youth make phone calls each week to family members and/or write letters.

Standard 115.354 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)

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

The facility uses the IIB and PREA hot-line for third party reporting. Parents and guardians are informed of the hot-line and the procedures for making a report. There is reporting information on the agencies' website at www.louisvilleky.gov.

Standard 115.361 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)

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All staff are mandated child abuse reporters and receive appropriate training. The external reporting agency is the Youth Detention Service Facility policy 18.3 requires all staff to also report any retaliation against youth or staff who made a report. Facility policy strictly prohibits the disclosure of information related to a report of sexual abuse, except on an "as needed" basis in order to make treatment related decisions. Staff interviews confirmed that they know that they are mandatory reporters. Staff interviews also confirmed that medical staff are mandated child abuse reporters. Medical and Mental Health staff indicated during interviews that they inform youth of their duty to report and the limitations of confidentiality.

Standard 115.362 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)

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There were no instances during the previous 12 months where a youth was subject to substantial risk of imminent sexual abuse. Staff interviews confirmed that they have received training as to how to immediately protect a youth by separating the youth and alleged perpetrator, notifying their supervisor, and completing an incident report. All staff expressed their primary responsibility is the safety of youth in the facility. Policy 18.3 states that staff will respond accordingly.

Standard 115.363 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)

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There has not been an allegation of sexual abuse reported by another facility in the previous 12 months. Policy 18.3 requires prompt notification, documentation, and follow-up with the particular reporting facility and is to report such an allegation to the Youth Detention Service hot-line. The interview with the Interim Director verified the practice.

Standard 115.364 Staff first responder duties

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

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

Policy 18.5 includes all requirements of the standard. Staff interviews confirmed that they have received first responder training. During interviews, staff could articulate the steps when responding to an incident of sexual abuse. Some staff needed prompting to remember the steps for a first responder. They all knew of the individualized facility’s coordinated response plan and checklist, and its location in the facility.

Standard 115.365 Coordinated response

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

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

Policy 18.7 meets all requirements of the standard. The facility has an individualized coordinated response plan that includes a First Responder protocol and First Responder Check List that ensures the highest level of coordination amongst and between the various actors. Interviews with staff verify their knowledge of the Response Plan and its location.

Standard 115.366 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)

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

This standard is N/A. There are no agreements of the type defined in the standard in place or contemplated.

Standard 115.367 Agency protection against retaliation

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

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

Policies 1.8(4), 15.3, and 18.4 protect all youth and staff from retaliation. This policy includes protective measures, follow up, and periodic status checks, as required by the standard. Although there have been no incidents of retaliation in the past 12 months, staff responsible for taking protection measures could articulate the requirements of the policy during interviews. Youth and staff interviews verified their knowledge of their rights against retaliation.

Standard 115.368 Post-allegation protective custody

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

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

This is N/A. The facility does not utilize any form of segregated housing.

Standard 115.371 Criminal and administrative agency investigations

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

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

The facility does not conduct any criminal investigations. The facility does conduct administrative investigations that are not criminal in nature. Once an internal investigator gets to the point where they conclude that the incident is criminal in nature, the investigation is stopped and turned over to the Louisville Metro Police Department.

Standard 115.372 Evidentiary standard for administrative investigations

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

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

The facility does not conduct any criminal investigations. In administrative investigations, LMYDS will impose no higher standard than a preponderance of evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. This preponderance of the more convincing evidence and its probable truth or accuracy, and not on the amount of evidence.

Once an internal investigator concludes that the incident is criminal in nature, the investigation is stopped and turned over to the Louisville Metro Police Department.

Standard 115.373 Reporting to residents

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

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

corrective actions taken by the facility.

Policy 18.6 requires the Superintendent or designee to inform the youth in writing, of the outcome, as required by the standard, unless the allegation is unfounded. The Superintendent and Facility PREA Compliance Manager verified this procedure during their interviews.

Standard 115.376 Disciplinary sanctions for staff

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

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

Agency policy 18.2 states that staff who violate agency sexual abuse or sexual harassment policies are subject to disciplinary action. Disciplinary actions include a variety of sanctions, including termination. The sanction for a substantiated finding of sexual abuse is termination and that criminal charges could result in incarceration. In any event, the policy states that the type of disciplinary action taken in a specific case depends on a number of variables and should be commensurate to the nature and circumstances of the act(s) committed, among other considerations. Policy requires all allegations of sexual abuse to be reported to the Louisville Metro Police department regardless of whether the staff resigns or is terminated. The Interim Director confirmed the procedure in her interview.

Standard 115.377 Corrective action for contractors and volunteers

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

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

Policy 18.2 states that any volunteer, contractor, or intern who engages in the sexual abuse or sexual harassment of an individual in the custody of the Louisville Metro Youth Detention center will be terminated.

Further, any contractor who engages in similar behavior will be subject to contract cancellation. The Interim Director stated during her interview that all substantiated findings would be reported to applicable licensing authorities.

Standard 115.378 Disciplinary sanctions for residents

- Exceeds Standard (substantially exceeds requirement of standard)

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

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

Policy 18.2 states that potential disciplinary action could include prosecution for engaging in any type of abuse or sexual activity or for making false accusations. The Interim Director also clarified that the facility does not make any determination regarding whether a particular activity constitutes sexual abuse. This determination is made by the court system and/or Law Enforcement.

Standard 115.381 Medical and mental health screenings; history of sexual abuse

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

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

Policy 18.10 states that a youth who reveals a history of sexual abuse will be offered a follow-up meeting with a medical or mental health practitioner within seven days. These youth are identified, monitored, counseled, and provided appropriate services.

Interviews with medical staff confirmed that services are provided if requested by a youth. Facility policy strictly controls the dissemination of information related to sexual victimization or abusiveness of youth on an as “need to know” basis. Staff interviews confirmed that youth are informed of the limits of mandatory child abuse reporting and confidentiality.

Standard 115.382 Access to emergency medical and mental health services

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

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

Policy 18.5 require access to unconditional, immediate emergency medical and mental health services at no cost to the youth or family, not only for youth victims of sexual abuse, but for all youth in the facility. Although there were no youth victims of sexual abuse during the prior 12 months, facility policy requires that the youth victim be provided with information regarding STD prophylaxis. Medical staff reported that this would be provided at the hospital.

Standard 115.383 Ongoing medical and mental health care for sexual abuse victims and abusers

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

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

There were no youth victims of sexual abuse at this facility during the prior twelve months. Policy 18.5 requires any youth victim be provided with ongoing medical and mental health services.

Standard 115.386 Sexual abuse incident reviews

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

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

Policy 18.6 meets all of the requirements of the standard. There were no PREA allegations during the last twelve months that required a thirty day review. A form to be used in case of a sexual abuse allegation, was reviewed and met all of the requirements of the standard. Interviews with members of the Incident Review Team verified that the system is in place.

Standard 115.387 Data collection

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These

recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The agency collects, aggregates, and maintains the data, as required by the standard. The data instrument collects the data necessary to answer all questions from the USDOJ Survey of Sexual Violence. Policy 18.6 meets all elements of the standard.

Standard 115.388 Data review for corrective action

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

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

The facility has conducted the 2014 review which is posted on the State of Kentucky Department of Juvenile Justice Website, djj.ky.gov. It is also posted on the Louisville Metro Government website, www.louisvilleky.gov. The agency has prepared an annual report of its findings and corrective actions for each facility, as well as the agency as a whole. The report includes a comparison of the current year's data and has provided an assessment of the agency's progress in addressing sexual abuse.

Standard 115.389 Data storage, publication, and destruction

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

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

The agency meets the requirements of this standard. DJJ has a public website, djj.ky.gov, and www.louisvilleky.gov, which features all Federal PREA Reports, PREA Brochures, and information regarding PREA.

AUDITOR CERTIFICATION

I certify that:

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

requested in the report template.

G. Peter Zeegers

Auditor Signature

5/14/16

Date