

STEELE COUNTY DETENTION CENTER POLICY & PROCEDURE MANUAL

SUBJECT: Prison Rape Elimination Act (PREA)	EFFECTIVE DATE: 03/16/2022
NUMBER: 9.1	DISTRIBUTION: All Authorized Personnel
REFERENCE: 28 CFR 115.6, 115.11, 115.13, 115.22, 115-54, 115.93	PAGE: 1 of 5
STEELE COUNTY SHERIFF Lon Thiele	JAIL ADMINISTRATOR Anthony Buttera
	Revised: 4/6/2020

PURPOSE:

This policy provides guidance for compliance with the Prison Rape Elimination Act (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect and respond to Sexual Abuse and Sexual Harassment.

POLICY:

The Steele County Sheriff's Office and the Steele County Detention Center has zero tolerance regarding Sexual Abuse and Sexual Harassment in this facility and will take appropriate affirmative measures to protect all inmates from Sexual Abuse and Harassment and to promptly and thoroughly investigate all allegations of Sexual Abuse and Sexual Harassment (28 CFR 115.11)

A. DEFINITIONS:

Intersex: A person whose sexual reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.

Sexual Abuse: If the inmate does not consent any of the following acts, is coerced into such act by overt or implied threats of violence or is unable to consent or refuse:

1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
2. Contact between the mouth and the penis, vulva or anus;

3. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object or another instrument;
4. Any other intentional touching either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or the buttocks of another person, excluding contact incidental to a physical altercation (28 CFR 115.6).

Sexual Abuse also includes abuse by a staff member, contractor or volunteer as follows, with or without consent of the inmate, detainee or resident:

1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
2. Contact between the mouth and the penis, vulva or anus;
3. Contact between the mouth and any body part where the staff member, contractor or volunteer with the intent to abuse, arouse or gratify sexual desire;
4. Penetration of the anal or genital opening, however slight, by a finger, object, hand, or other instrument that is unrelated to official duties, or where the staff member, contractor, or volunteer has the intent to abuse, arouse or gratify sexual desire;
5. Any other intentional contact, either directly or through the clothing, of or with, the genitalia, anus, groin, breast, inner thigh or the buttocks, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire;
6. Any attempt, threat or request by a staff member, contractor or volunteer to engage in activities described above;
7. Any display by a staff member, contractor or volunteer or his/her uncovered genitalia, buttocks or breast in the presence of an inmate, detainee or resident.
8. Voyeurism by a staff member, contractor or volunteer (28-CFR-115.6)

Sexual Harassment: Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures or actions of a derogatory or offensive sexual nature by one inmate that are directed toward another; repeated verbal comments or gestures of a sexual nature to an inmate by a staff member, contractor or volunteer including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28-CFR 115.6)

Transgender: A person whose gender identity (ex. internal sense of feeling male or female) is different from the person's assigned sex at birth.

PREA Coordinator:

Jail Administration shall appoint an upper-level coordinator to be responsible for implementation and oversight of compliance with PREA standards. The PREA Coordinator shall review facility policies and practices and make appropriate compliance recommendations to the Jail Administrator (28-CFR 115.11)

The PREA Coordinator's responsibilities shall include:

1. Developing a written plan to coordinate response among staff, first responders, medical and mental health practitioners, investigators and facility management to an incident of Sexual Abuse.
2. Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, to protect inmates from Sexual Abuse. This includes documenting deviations and the reasons for deviations from the staffing plan, as well as reviewing the staffing plan a minimum of once per year (28-CFR 115.13)
3. Ensuring that any contract for the confinement of Steele County inmates includes the requirement to comply with the PREA standards.
4. Making reasonable efforts to enter an agreement with community service providers to provide inmates with confidential, emotional support services related to Sexual Abuse.
5. Ensuring the protocol describing the responsibilities of the Steele County Sheriff's Office and of another investigating agency, if another law enforcement agency will be responsible for conducting any Sexual Abuse or Sexual Harassment investigations, is published on the facility website (28-CFR-115.22)
6. Implementing a process by which inmates may report Sexual Abuse and Sexual Harassment to a public or private entity or office that is not part of the Office and that the outside entity or office can receive and immediately forward inmate reports of Sexual Abuse and Sexual Harassment to Jail Administration, allowing the inmate anonymity.
7. Establishing a process to ensure accurate, uniform data is collected for every allegation of Sexual Abuse at facilities under the direct control of this office, using a standardized instrument.
 - a. The data collected shall include at minimum, the data necessary to answer all the questions from the most recent version of the Survey of Sexual Violence conducted by the U.S. Department of Justice (DOJ);
 - b. The data shall be aggregated at least annually.

8. Establishing a process to monitor the conduct and treatment of inmates or staff who have reported Sexual Abuse and the conduct and treatment of inmates who were reported to have suffered Sexual Abuse.
9. Ensuring that the following are published on the Detention Center website or other means, if no website exists.
 - a. Policy governing investigations of allegations of Sexual Abuse and Sexual Harassment or the referral of such investigations of Sexual Abuse or Sexual Harassment unless the allegation does not involve potentially criminal behavior.
 - b. Information on how to report Sexual Abuse and Sexual Harassment on behalf of an inmate. (28-CFR-115.54)
10. Ensuring audits are conducted pursuant to 28-CFR-401-405 (28-CFR-115.93)
11. Implementing a protocol requiring mid-level or higher-level supervisors to conduct and document unannounced inspections to identify and deter Sexual Abuse and Sexual Harassment. The protocol shall prohibit announcing when such inspections are to occur, unless it is necessary for operational considerations. (28-CFR-115.13)

Housing:

1. Inmates at risk for victimization will not be housed in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination has been made that there is no available alternative means of separation from likely abusers.
2. Any inmate housed in involuntary housing will be allowed a 30-day review to assure placement is appropriate.
3. Housing based on the likelihood of victimization can be made under emergency situations.

Hiring and Promotion:

The Detention Center prohibits hiring or promoting anyone who may have contact with inmates and prohibits enlisting the services of any contractor who may have contact with inmates who:

1. Has engaged in Sexual Abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution.
2. Has been convicted of any criminal sexual conduct charge.
3. Any omissions regarding misconduct, or the provision of materially false information, shall be grounds for termination.

a. Hiring:

The Detention Center policy requires that before it hires any new employees or contractors who may have contact with inmates, it

- i. conducts criminal background record checks, consistent with federal, state, and local law.
- ii. makes its best effort to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.

b. Promotion:

The Detention Center requires the consideration of any incidents of Sexual Harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.

Staff and Volunteer Training:

1. Staff Training:

- a. All Detention Center Staff will have PREA refresher training every two years. This training will cover:
 - i. PREA Policy basics, Zero Tolerance;
 - ii. Procedural steps to fulfill responsibilities;
 - iii. Warning signs of sexual assault/abuse;
 - iv. Avoiding Inappropriate relationships with inmates;
 - v. Transgender Awareness;
 - vi. Compliance topics.

2. Volunteer Training:

- a. All volunteers will have a PREA refresher every two years. This training will cover:
 - i. Zero Tolerance stance;
 - ii. Reporting;
 - iii. Warning Signs;
 - iv. Avoiding inappropriate relationships.

STEELE COUNTY DETENTION CENTER POLICY & PROCEDURE MANUAL

SUBJECT: Transgender/Cross Gender Viewing and Body Searches	EFFECTIVE DATE: 03/16/2022
NUMBER: 9.2	DISTRIBUTION: All Authorized Personnel
REFERENCE: 2911.5300, 28 CFR 115.15	PAGE: 1 of 4
STEELE COUNTY SHERIFF Lon Thiele	JAIL ADMINISTRATOR Anthony Buttera
	Revised: 03/16/2022

PURPOSE

To provide guidance to Detention Center staff on how to conduct pat searches, modified strip searches and strip searches on transgender individuals and how to conduct cross gender pat searches.

POLICY

It is the policy of the Steele County Detention Center to conduct body searches of detainees in the most professional and respectful manner, consistent with security needs of the facility. This policy will outline how to conduct body searches to control contraband while in accordance with PREA regulation. It is the policy of the Detention Center to conduct body searches to maintain a safe environment for all staff and inmates.

PROCEDURE:

A. Transgender Searches:

1. All Detention Center staff that are authorized to perform body searches will be trained in conducting transgender body searches.
2. Detention Center Staff will never search a transgender inmate solely for the reason to determine the genital status.

3. Detention Center staff will never dual hemisphere search an inmate who is transgender.
4. When an arrestee enters the Detention center and identifies as a transgender person, they will be required to fill out the [Search Preference Form](#).
 - a. This form will document the inmate's preference (Male or Female) when being searched within the facility.
 - b. This form will be filled out every time transgender individuals are brought into the facility.
 - c. This form will become part of the inmate's CH File.
5. Detention Center staff, when body pat searching, will:
 - a. Determine the gender of the staff conducting the search;
 - b. PREA Standards allow for only the following staff to search Transgender inmates:
 - a. Medical Staff;
 - b. Female Staff;
 - c. By inmate preference as indicated on *the Search Preference Form*;
 - d. In accordance with inmate's gender identity preference;
 - c. Use the Press and Release Method;
 - d. Search by quadrant:
 - i. Top left, lower left, top right, lower right.
6. Detention Center staff, when conducting a modified strip search or strip search will:
 - a. Determine the gender of the staff conducting the search;
 - b. PREA Standards allow for only the following staff to search Transgender inmates:
 - a. Medical Staff;
 - b. Female Staff;
 - c. By inmate preference as indicated on the Search Preference Form;
 - d. In accordance with inmate's gender identity preference.

- c. Modified strip searches and strip searches will be done in accordance with current Detention Center Policy on searches.

B. Cross Gender Searches:

1. All Detention Center staff that are authorized to perform body searches will be trained in conducting cross gender body searches.
2. Cross gender modified strip searches or strip searches will not be conducted unless exigent circumstances apply.
3. The Detention Center is staffed by both male and female officers and will conduct same gender searches whenever able.
4. Detention Center staff, when body pat searching, will:
 1. Have only the following staff perform cross-gender pat searches:
 - a. Female staff.
 2. In instances of exigent circumstance, Male officers can conduct pat searches of Female Inmates. If this happens, the following needs to be documented:
 - a. Why the search could not be postponed?
 - b. Why no eligible staff were available?
 - c. Any steps taken to get a same gender staff to the facility.
 - d. Why steps taken in (c) were unsuccessful.
 - e. Any contraband found.
3. Use the press and release method.
4. Search by quadrant:
 - a. Top left, bottom left, top right, bottom right.

The Detention center will document when any male staff cross gender or transgender pat/strip searches are conducted.

C. Cross Gender Viewing:

1. The Detention Center, by design, allows for both male and female inmates the ability to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia

except in exigent circumstances or when such viewing is incidental to routine cell checks (this includes viewing via video camera).

2. To reduce incidental viewing, Detention Center staff are required to announce their presence when entering a unit that houses inmates of the opposite gender.



STEELE COUNTY DETENTION CENTER

Statement of Pat/Strip Search Preference Form for Transgender Inmates

INMATE NAME: _____

CH NUMBER: _____

BOOKING DATE: _____

I currently identify as a transgender person. While in Steele County Sheriff's Office custody, I prefer to be pat/strip searched by a Deputy of the below indicated gender. This preference will be respected unless emergency circumstances exist.

____ I have elected to and it is my preference and request to be searched by a female corrections deputy.

____ I have elected to and it is my preference and request to be searched by a male corrections deputy.

Inmate Signature: _____ Date: _____

Witnessing Deputy/ Witnessing Supervisor:

Intake Officer: _____ Badge #: _____ Date: _____

Shift Supervisor: _____ Badge #: _____ Date: _____

STEELE COUNTY DETENTION CENTER POLICY & PROCEDURE MANUAL

SUBJECT: PREA Investigations and Discipline	EFFECTIVE DATE: 03/16/2022
NUMBER: 9.3	DISTRIBUTION: All authorized personnel
REFERENCE: 28 CFR 115	PAGE: 1 of 4
STEELE COUNTY SHERIFF Lon Thiele	JAIL ADMINISTRATOR Anthony Buttera
	Revised: 03/16/2022

PURPOSE

This policy outlines the procedure for collecting information on alleged sexual abuse at the Steele County Detention Center. It also dictates the authority of both Detention Center Administration or Criminal Investigators.

PROCEDURE

A. Criminal Investigations:

1. The Steele County Detention Center will conduct investigations into allegations of sexual abuse and sexual harassment promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.
2. Where sexual abuse is alleged, the Detention Center will use investigators who have received special training in sexual abuse investigations.
3. During the investigation, Investigators shall:
 - a. Gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data;
 - b. Interview alleged victims, suspected perpetrators, and witnesses;
 - c. Review prior complaints and reports of sexual abuse involving the suspected perpetrator.
4. Criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible.

5. When the quality of evidence appears to support criminal prosecution, the Steele County Sheriff's Office shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.
6. The credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as inmate or staff.
7. At no time, will an inmate who alleges sexual abuse be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation.

B. Administrative Investigations:

1. Administrative investigations will include the following:
 - a. Determination whether staff actions or failures to act contributed to the abuse;
 - b. Written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings;
 - c. Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution;
 - d. When outside agencies investigate sexual abuse, the facility shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation.
 - e. All reports of sexual abuse obtained from other counties will be fully investigated under PREA Standards.

C. Evidentiary Standards for Administrative Investigations:

1. The Detention Center shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

D. Reporting to Inmates:

1. Following an investigation into an inmate's allegation that he or she suffered sexual abuse, the Detention Center shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.
2. If the Detention Center did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the inmate.
3. Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the Detention Center shall subsequently inform the inmate (unless the agency has determined that the allegation is unfounded) whenever:
 - a. The staff member is no longer posted within the inmate's unit;
 - b. The staff member is no longer employed at the facility;
 - c. The Detention Center learns that the staff member has been indicted on a charge related to sexual abuse within the facility;
 - d. The Detention Center learns that the staff member has been convicted on a charge related to sexual abuse within the facility.
4. Following an inmate's allegation that he or she has been sexually abused by another inmate, the Detention Center shall subsequently inform the alleged victim whenever:
 - a. The Detention Center learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or
 - b. The Detention Center learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.
5. All such notifications or attempted notifications shall be documented.
6. The Detention Center's obligation to report under this standard shall terminate if the inmate is released from the agency's custody.

E. Sanctions and Discipline:

1. Sanctions for Inmates' who participate in prohibited behavior (Sexual Assault or Harassment)
 - a. The Detention Center will investigate all reports of Sexual Assault or Harassment.
 - b. In the event of a substantiated Sexual assault/harassment claim, the alleged Inmate Perpetrator will be either:
 - i. Criminally Prosecuted.

- ii. Disciplined in accordance with the Steele County Detention Center's policy on Inmate Discipline.
- 2. Sanctions for Staff who participate in prohibited behavior (sexual assault/harassment)
 - a. The Detention Center will investigate all reports of Sexual assault/harassment.
 - b. In the event of a substantiated Sexual assault/harassment claim, the alleged Staff perpetrator will be:
 - i. Separated from inmate accuser.
 - ii. Criminally Prosecuted.
 - iii. Disciplined in accordance with the Steele County Detention Center's policy on Staff Discipline.
- 3. Sanctions for volunteers or contractors who participate in prohibited behavior:
 - a. The Detention Center will investigate all reports of abuse.
 - b. The volunteer or contractor will have no inmate contact pending an investigation.
 - c. Based on the results of the investigation, the volunteer or contractor will either be
 - i. Cleared, disciplined or criminally prosecuted.
- 4. Sanctions for Inmates' or staff who falsely report Events of Sexual assault/harassment:
 - a. Inmates will be disciplined in accordance with the Detention Center's policy on Inmate Discipline.
 - i. Inmates will only be disciplined for false reports that were found to be made in bad faith.
 - b. Staff will be disciplined in accordance with the Detention Center's policy on Staff Discipline.

STEELE COUNTY DETENTION CENTER POLICY & PROCEDURE MANUAL

SUBJECT: PREA Documentation / Data Collection	EFFECTIVE DATE: 12/1/2023
NUMBER: 9.4	DISTRIBUTION: All Authorized personnel
REFERENCE: 28 CFR 115	PAGE: 1 of 5
STEELE COUNTY SHERIFF Lon Thiele	JAIL ADMINISTRATOR Anthony Buttera
	Revised: 3/1/2025

PURPOSE

The purpose of this policy is to document and outline the procedure that is taken to document alleged sexual abuse within the Steele County Detention Center. Moreover, this policy will outline the documents used when addressing alleged sexual abuse along with Steele County data collection practices which are reported to the public or other agencies.

PROCEDURE

A. Required Documentation:

1. The Steele County Detention Center will document, in the form of an incident report, any of the following occurrences:
 - a. All cross-gender pat down searches of female inmates, cross-gender pat searches of male inmates, cross-gender strip searches and cross-gender visual body cavity searches;
 - b. All efforts to obtain examinations by either Sexual Assault Forensic Examiners (SAFEs), Sexual Assault Nurse Examiners (SANEs) or a qualified medical practitioner for victims;
 - c. All efforts to obtain a victim advocate from a rape crisis center or a qualified advocate from the community or agency. Steele County has a Memorandum of Understanding (MOU) with the Crisis Recourse Center of Owatonna;

- d. All allegations of sexual abuse, including first responder checklists and supervisor checklists. This will include all allegations that have been forwarded to an outside investigating authority.
- 2. The Steele County Detention Center will document, through written records, any of the following occurrences:
 - a. All employee, volunteer or contractor training that has been offered. The trainees will sign off on proficiency and the record will become part of their training record.
 - b. All custodial sexual misconduct waivers. These waivers are to be signed by any person wishing to meet face to face with an Inmate.

B. Supervisor Documentation:

- a. Supervisors will be required to conduct unannounced PREA compliance rounds daily. These rounds will be done at random times and will be conducted in each housing unit.
- b. Supervisors will be observing the housing unit for PREA compliance and documentation will be kept detailing the time and location of each round.
- c. Staff are prohibited from notifying housing staff of any supervisor PREA round.

C. Inmate Education Documentation:

- 1. During the Intake process, Inmates will be required to review and understand the Detention Center's stance on Sexual Abuse.
- 2. Information regarding the zero-tolerance policy toward sexual abuse and how to report.
 - a. Watch a PREA education video;
 - b. The Inmate signs a document verifying they received the information, this document will become part of the inmate's electronic file;
 - c. If needed, accommodations will be made to all inmates that are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. This will be completed within 30 days of entrance into the facility.
 - d. The detention Center will not utilize inmate interpreters, inmate readers, or other types of inmate assistants to educate any inmate on PREA standards.
 - i. Inmate Interpreters may only be used in exigent circumstances when an extended delay in obtaining an effective interpreter could

compromise the inmate's safety, the performance of first-response duties, or the investigation of the inmate's allegations;

- ii. Any time an Inmate Interpreter is used it will be documented in an Incident Report.
3. Following an inmate's allegation that he or she has been sexually abused by another inmate, the agency shall subsequently inform the alleged victim whenever:
 - a. The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or
 - b. The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility;
 - c. All such notifications or attempted notifications shall be documented.

D. Staff and Administrative Documenting:

1. The facility shall report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators through incident report. This report shall contain the following:
 - a. Any staff action or inaction that contributed to abuse;
 - b. Description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.

E. Criminal Investigations:

1. All allegations of sexual abuse reported to criminal investigations will be documented in an incident report. The report shall contain the following:
 - a. Thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible;
 - b. Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution.

F. Retention of Sexual Abuse related documents:

1. The agency shall retain all written reports referenced in section 1 and 2 of this section for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.
2. The departure of the alleged abuser or victim from the employment or control of the facility or agency shall not provide a basis for terminating an investigation.
3. When outside agencies investigate sexual abuse, the facility shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation.

G. Data Collection:

1. The Detention Center will collect:
 - a. Accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions;
 - b. Data will be aggregated at least annually;
 - c. The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice;
 - d. The agency shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

H. Data Review for Corrective Action:

1. The Steele County Detention Center shall conduct a sexual abuse incident review for all allegations that are deemed unsubstantiated or substantiated. Reviews will not be conducted of allegation that are deemed unfounded or not PREA related.
 - a. Incident reviews will be conducted within 30 days of the conclusion of an investigation.
 - b. This incident review will be documented in a report that will be given to the PREA Coordinator and Jail Administration. This report will contain:
 - i. Consideration whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse.
 - ii. Consideration whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility.
 - iii. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
 - iv. Assess the adequacy of staffing levels in that area during different shifts.

- v. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.
- c. The facility shall implement any recommendations for improvement, or shall document its reasons for not doing so.
- d. The Detention Center will also review data collected and aggregated to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training. The review will be compiled into a report and made available on the Detention Center's website. This annual report will contain:
 - 1. Identify problem areas.
 - 2. Corrective action taken on an ongoing basis
 - 3. Comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse
- e. The agency may redact specific material from the reports when publication would resent a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.

I. Data Storage, Publication and Destruction:

- 1. The agency shall ensure that all data collected pursuant to this policy are securely retained.
- 2. Before making aggregated sexual abuse data publicly available, the agency shall remove all personal identifiers.
- 3. The agency shall maintain sexual abuse data collected pursuant to this policy for at least 10 years after the date of the initial collection unless Federal, State, or Local law requires otherwise.

STEELE COUNTY DETENTION CENTER POLICY & PROCEDURE MANUAL

SUBJECT: PREA Audits	EFFECTIVE DATE: 03/16/2022
NUMBER: 9.5	DISTRIBUTION: All Authorized Personnel
REFERENCE: 28 CFR 115.401 – 115.405	PAGES: 1 of 3
STEELE COUNTY SHERIFF Lon Thiele	JAIL ADMINISTRATOR Anthony Buttera
	Revised: 03/16/2022

PURPOSE:

The purpose of this policy is to ensure that the Steele County Detention Center is operating with full compliance under the PREA Standards. The Steele County Detention Center will follow the guidelines listed hereafter to ensure PREA Compliance.

PROCEDURE:

A. Auditor qualifications:

1. An audit shall be conducted by:

- a. A member of an auditing entity such as an inspector general's or ombudsperson's office that is external to the agency; or
- b. Other outside individuals with relevant experience as certified by the Dept. of Justice.

2. The Steele County Detention Center will not employ, contract with, or otherwise financially compensate the auditor for three years after the agency's retention or use of the auditor, apart from contracting for subsequent PREA audits.

3. The Steele County Detention Center will not hire a PREA Auditor that has been employed, contracted with or otherwise been compensated within the last three years from the audit date.

B. Auditing and Corrective Action:

1. Frequency and scope of audits:

- a. The Steele County Detention Center will schedule PREA Audits every three (3) years;
 - b. The Department of Justice may request an expedited audit if there is reason to believe that a facility may be experiencing problems relating to sexual abuse. The recommendation may also include referrals to resources that may assist with PREA-related issues.
2. The Steele County Detention Center will be responsible for demonstration compliance with PREA standards.
 3. The auditor shall review all relevant policies, procedures, reports, internal and external audits, and accreditations for the Steele County Detention Center.
 4. Audits will review, at a minimum, a sampling of relevant documents and other records and information for the most recent one-year period.
 5. The auditor shall have access to, and shall observe, all areas of the audited facilities.
 6. The auditor shall be permitted to request and receive copies of any relevant documents (including electronically stored information).
 7. The auditor shall retain and preserve all documentation (including, e.g., video tapes and interview notes) relied upon in making audit determinations.
 8. The auditor shall interview a representative sample of inmates, staff, supervisors, and Administrators.
 9. The auditor shall review a sampling of any available videotapes and other electronically available data (e.g., Watchtour) that may be relevant to the provisions being audited.
 10. The auditor shall be permitted to conduct private interviews with inmates.
 11. Inmates shall be permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel.
 12. Auditors will have access to community-based or victim advocates who may have insight into relevant conditions in the facility.

C. Audit contents and findings:

1. The PREA audit shall include:

- a. A certification that no conflict of interest exists;
- b. Reports stating whether policies and procedures comply with relevant PREA standards;

- c. A summary of the number of provisions the facility has achieved at each grade level;
 - d. A summary of methodology, sampling sizes, and basis for the auditor's conclusions about each standard provision and any recommendations.
2. Auditors shall redact any personally identifiable inmate or staff information from their reports, but shall provide such information upon request, and may provide such information to the Department of Justice.
3. The Steele County Detention Center shall ensure that the auditor's final report is made available to the public by publishing the report on the Steele County Detention Center website.

D. Audit corrective action plan:

1. A finding of "Does Not Meet Standard" with one or more standards shall trigger a 180-day corrective action period.
 - a. The auditor and the detention center shall jointly develop a corrective action plan to achieve compliance.
 - b. The auditor shall take necessary and appropriate steps to verify implementation of the corrective action plan, such as reviewing updated policies and procedures or re-inspecting portions of a facility.
2. After the 180-day corrective action period ends, the auditor shall issue a final determination as to whether the detention center has achieved compliance with those standards requiring corrective action.
3. If the detention center does not achieve compliance with each standard, it may (at its discretion and cost) request a subsequent audit once it believes that it has achieved compliance.

E. Audit appeals:

1. **If the detention center disagrees with the findings of the auditor:**
 - a. The detention center may lodge an appeal with the Department of Justice regarding any specific audit finding that it believes to be incorrect. Such appeal must be lodged within 90 days of the auditor's final determination.
 - b. If the Department of Justice determines that the detention center has stated good cause for a re-evaluation, the detention center may commission a re-audit by an auditor mutually agreed upon but at the detention center's expense.
 - c. The findings of the re-audit shall be considered final.

STEELE COUNTY DETENTION CENTER POLICY & PROCEDURE MANUAL

SUBJECT: PREA Reporting Sexual Abuse, Harassment or Retaliation	EFFECTIVE DATE: 03/16/2022
NUMBER: 9.6	DISTRIBUTION: All Authorized Personnel
REFERENCE: 28 CFR 115.51, 115.63, 115.67	PAGES: 1 of 4
STEELE COUNTY SHERIFF Lon Thiele	JAIL ADMINISTRATOR Anthony Buttera
	Revised: 04/06/2020

PURPOSE:

This policy provides explanation and guidance in the areas of reporting Sexual Abuse, Sexual Harassment and retaliation within PREA guidelines.

POLICY:

The Steele County Sheriff's Office and the Steele County Detention Center has zero tolerance regarding Sexual Abuse and Sexual Harassment in this facility and will take appropriate affirmative measures to protect all inmates from Sexual Abuse and Harassment and to promptly and thoroughly investigate all allegations of Sexual Abuse and Sexual Harassment (28 CFR 115.11) The Steele County Detention Center will outline avenues of reporting PREA Violations and describe the Response procedure by appropriate personnel.

PROCEDURE

A. Screening:

1. Upon entrance to the Steele County Detention Center, all detainees will undergo screening to determine the likelihood of victimization or the likelihood to victimize another. This screening will take place in Intake and will be forwarded to medical staff for review.
2. Any information that requires immediate attention will be forwarded to the shift supervisor.

3. After initial screening in Intake, medical staff will conduct a more comprehensive re-assessment on inmates within their first 30 days in custody.
 - a. All inmates that indicate prior sexual abuse will be referred to medical and be seen within 14 days.
4. When warranted, due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness, a re-assessment will be completed.
5. Any Inmates refusing to take part in the screening process will not be subject to any discipline based on the refusal.

B. Reporting Sexual Abuse, Harassment and Retaliation:

1. Any employee, agency representative, volunteer or contractor who becomes aware of an incident of sexual abuse, sexual harassment or retaliation against inmates or staff shall immediately report the incident by:
 - a. Direct reporting to Shift Supervisor;
 - b. Direct reporting to Detention Center Administration.
2. The facility shall provide information to all visitors or third parties on how they may report any incident, or suspected incident of sexual abuse or sexual harassment to a staff member. (28-CFR-115.54) These channels are:
 - a. The Steele County Detention Center website;
 - b. Calling the Steele County Detention Center directly.
3. Inmates may report sexual abuse, sexual harassment, retaliation or neglect that results in any of the previously mentioned acts by:
 - a. Confidential PREA Reporting through the Electronic Kiosk System located in the unit.
 - b. Reporting to any staff member the alleged incident. Staff shall accommodate all inmate requests to report allegations of Sexual Abuse or Harassment. Staff shall accept reports made verbally, in writing, anonymously or from third parties and shall promptly document all verbal reports.
 - c. Family Members can contact Jail Administration directly by calling 507-446-7000.
 - d. Calling the listed number in the inmate handbook. This call will allow for outside the agency reporting and will be a free call.

- e. Inmates detained solely for civil immigration purposes are provided information on how to contact relevant consular officials and relevant officials of the Department of Homeland Security.
- 4. Threats or allegations of Sexual Abuse and Sexual Harassment, regardless of the source, shall be documented and referred for investigation. Sexual Abuse and Sexual Harassment reports shall only be made available to those who have a legitimate need to know, and in accordance with this policy and applicable law.
 - a. If the allegation of Sexual Abuse is against staff, the staff member named will be restricted from the processing of any requests/grievances pertaining to the allegation.
 - b. A decision on the merits of any grievance or portion of a request/grievance alleging Sexual Abuse be made within 90 days of the filing of the request/grievance.
- 5. If there is an allegation that an inmate was Sexually Abused while he/she was confined at another facility, Jail Administration shall notify the head of that facility as soon as possible, but no later than 72 hours after receiving the allegation. Jail Administration shall ensure that the notification has been documented.
- 6. If allegations of Sexual Assault/Harassment are made at another facility and reported to the Detention Center, the allegations will be investigated in accordance with PREA guidelines.

C. Grievances:

- a. All grievances that pertain to a Sexual Assault/Harassment incident or allegation will be treated as an Emergency Grievance and responded to immediately.
- b. If an inmate declines to have third-party assistance in filing a grievance alleging Sexual Abuse, the Detention Center documents the inmate's decision to decline.
- c. Emergency grievances alleging imminent risk of Sexual Abuse require an initial response within 48 hours. A final decision on the matter will be made within 5 days.

D. Retaliation:

- 1. All inmates and staff who report Sexual Abuse or Sexual Harassment or who cooperate with Sexual Abuse or Sexual Harassment investigations shall be protected from retaliation.
- 2. Protective measures, including housing changes, transfers, removal of alleged abusers from contact with victims, administrative reassignment or

reassignment of the victim or alleged perpetrator to another housing area, and support services for inmates or staff who fear retaliation shall be utilized.

3. Jail Administration shall assign a supervisor to monitor, for at least 90 days, the conduct and treatment of inmates or staff who report Sexual Abuse or Sexual Harassment and inmates who were reported to have suffered Sexual Abuse to determine if there is any possible retaliation. The supervisor shall act promptly to remedy any such retaliation. The assigned supervisor should consider:
 - a. Inmate disciplinary reports;
 - b. Housing or program changes;
 - c. Negative performance reviews or reassignment of staff members.
4. Monitoring may continue beyond 90 days if needed. Inmate monitoring shall also include periodic status checks. Jail Administration should take reasonable steps to limit the number of people with access to the names of the individuals being monitored and should make reasonable efforts to ensure that staff members who pose a threat of retaliation are not entrusted with monitoring responsibilities.
5. If any other individual who cooperates with an investigation expresses a fear of retaliation the facility will take reasonable measures to protect that individual against retaliation.

STEELE COUNTY DETENTION CENTER POLICY & PROCEDURE MANUAL

SUBJECT: PREA Staff Response	EFFECTIVE DATE: 03/16/2022
NUMBER: 9.7	DISTRIBUTION: All Authorized Personnel
REFERENCE: 28 CFR 115.21, 115.22, 115.16, 115.63, 115.64 and 115.67	PAGES: 1 of 4
STEELE COUNTY SHERIFF Lon Thiele	JAIL ADMINISTRATOR Anthony Buttera
	Revised: 4/6/2020

PURPOSE:

This policy provides guidance for compliance with the Prison Rape Elimination Act (PREA) and the regulations and procedure when responding to alleged Sexual Abuse reports.

POLICY:

The Steele County Sheriff's Office and the Steele County Detention Center has zero tolerance regarding Sexual Abuse and Sexual Harassment in this facility and will take appropriate affirmative measures to protect all inmates from Sexual Abuse and Harassment and to promptly and thoroughly investigate all allegations of Sexual Abuse and Sexual Harassment (28 CFR 115.11). The Steele County Detention Center has clear protocol when responding to alleged Sexual Abuse.

PROCEDURE:

A. Responding to Sexual Abuse, Harassment and Retaliation:

Any employee, agency representative, volunteer or contractor who becomes aware of an incident of Sexual Abuse, Sexual Harassment or retaliation against inmates or staff shall immediately notify a supervisor, who will forward the matter to the PREA Compliance Coordinator or Jail Administration. Staff may

also privately report Sexual Abuse and Sexual Harassment of inmates. (ex. report to Jail Administration)

1. First Responders:

If an allegation of inmate Sexual Abuse is made, the first corrections officer to respond shall:

- a. Receive report of sexual assault. Document the name of victim and the name of the person reporting (if different). Do not let the victim out of your sight.
- b. Ask the Victim for approximate date(s) and time(s) of the incident(s).
- c. Request medical assistance as appropriate. If no qualified health care or mental health professionals are on-duty when a report of recent abuse is made, staff first responders shall take preliminary steps to protect the victim and shall immediately notify the appropriate health care and mental health professionals.
- d. Ask the Victim to identify perpetrator(s) and any potential witnesses.
- e. Ask the victim to identify the place or places where the incident occurred.
- f. Notify the On-Duty Supervisor or Designee of incident.
- g. Glove Up.
- h. Secure the crime scene(s). Do not allow access by anyone other than responding deputies.
- i. If victim has identified perpetrator(s), assign an officer to remain with perpetrator until further instructed by On Duty Supervisor or Designee. If there are two or more perpetrators, they should be separated. Victim, perpetrator, and witnesses should not be within earshot or sight of each other.
- j. If incident occurred within the past 72 hours, prevent victim from eating, drinking, using the toilet, brushing teeth, changing clothes, washing hands, douching, bathing, or showering. If victim has already changed clothes, determine location of clothing worn at the time of incident. If clothing is not at crime scene, secure it in paper evidence bags (one item per bag to avoid cross contamination).
- k. Remain with victim until On Duty Supervisor or Designee instructs otherwise.
- l. Write an incident report.
- m. Complete the First responder checklist: [Finished PREA Policy\PREA Docs\First Responder PREA Checklist.doc](#)

If the first responder is not a corrections officer, the responder shall request the alleged victim to refrain from any actions that could destroy physical evidence and then immediately notify a corrections officer.

2. Supervisors:

If a supervisor receives an alleged report of Sexual Abuse from any inmate, employee, agency representative, volunteer or contractor the supervisor shall:

- a. Receive report from first responder. Make sure the report has:
 - i. Victims name;
 - ii. Victims DOB;
 - iii. Date and time of the incident;
 - iv. Perpetrator's Name(s);
 - v. Potential witnesses;
 - vi. Location(s) of incident(s).
- b. Verify that crime scene has been secured. Instruct First Responder to stay with victim until responding deputy(s) arrive(s). Ensure that an officer is stationed with any identified perpetrator(s).
- c. Notify Dispatch of incident and request a Deputy.
 - i. Document the person who was notified of the incident.
- d. Notify Jail Administration of incident. Jail Administration will notify victim's parent/guardian if victim is a juvenile.
- e. Remove alleged perpetrator(s) from area.
 - i. If perpetrator is an offender, direct staff to remove him/her to a dry cell in segregation.
 - ii. If more than one Perpetrator, keep them separate from each other (sight, sound).
 - iii. If perpetrator is a staff member, the On-Duty Supervisor or Designee shall escort him/her to a conference room or other private area within the secure perimeter and remain with or ask a supervising staff to remain with perpetrator until Deputy gives further instructions. Law Enforcement must be contacted immediately by On Duty Supervisor or Designee or at their direction. MN Statute 629.37 and 629.39.
 - iv. If incident occurred within past 72 hours, ensure that perpetrator(s) does not eat, drink, use the toilet, brush teeth, change clothes, wash hands, bathe, or shower.
- f. Notify Medical of Incident.
- g. Do not question victim or perpetrator unless responding Deputy requests it.
- h. Write Incident Report.
- i. Complete Supervisor Response Checklist: [Finished PREA Policy\PREA Docs\Supervisor PREA Checklist.doc](#)

Should an investigation involve inmates who have disabilities or who have limited English proficiency, the first responder shall not rely on inmate interpreters, inmate readers or other types of inmate assistants, except in limited circumstances where an extended delay in obtaining an interpreter could compromise inmate safety, the

performance of first responder duties or the investigation of Sexual Abuse or Sexual Harassment allegations. (28-CFR-115.16)

B. Reports from Other Facilities:

1. If an allegation of Sexual Abuse is reported and took place in another detention facility Jail Administration shall:
 - a. notify the head of the facility or appropriate office of the agency where the alleged abuse occurred.
 - b. Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation.
 - c. The agency shall document that it has provided such notification.
 - d. The facility head or agency office that receives such notification shall ensure that the allegation is investigated in accordance with these standards.

C. Inmate Housing:

1. Inmates that report Sexual Abuse, Harassment or Retaliation will be ensured to the following concerning their safety and well-being:
 - a. Immediate response to any allegations.
 - b. Housing changes, transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting Sexual Abuse or Sexual Harassment or for cooperating with investigations.
 - c. 90-days of specific monitoring by supervisory staff. Monitoring will be done through housing changes, incident reports, negative staff performance reviews or staff reassignment.

D. Health Services:

1. Victims of Sexual Abuse will have access to medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized.
2. Treatment services are provided to every victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

STEELE COUNTY DETENTION CENTER POLICY & PROCEDURE MANUAL

SUBJECT: Youthful Offenders	EFFECTIVE DATE: 03/16/2022
NUMBER: 9.8	DISTRIBUTION: All Authorized Personnel
REFERENCE: 28 CFR 115	PAGE: 1 of 2
STEELE COUNTY SHERIFF Lon Thiele	JAIL ADMINISTRATOR Anthony Buttera
	Revised: 04/06/2020

PURPOSE

To provide guidance to Detention Center staff on how to manage and appropriately house Youthful Offenders within the Detention Center.

POLICY

It is the policy of the Steele County Detention Center to manage all Juvenile/Youthful Offenders in a safe and secure manner consistent with both DOC regulation and PREA regulation.

PROCEDURE:

A. Youthful Offender: Any detainee that is under the age of 18 years old.

B. Youthful Offenders admitted to the facility:

- a. The Detention Center will make all possible arrangements to house any Youthful Offenders in a Juvenile Detention Facility.
- b. If placement cannot be made at a Juvenile Detention Facility, all Youthful Offenders will be housed in Intake Juvenile/Medical Unit until placement can be made elsewhere.
 - i. The Juvenile/Medical wing will afford Youthful Offenders to showers, day space and sleeping quarters while maintaining sight/sound standards.

C. Housing:

- a. All youthful offenders will not be housed within sight, sound or physical contact with any Adult Inmates.
- b. Housing space will be considered sleeping quarters, dayroom area, common spaces and showers.

D. Movement:

- a. When moving Youthful Offenders throughout the facility, the Detention Center will maintain the sight, sound and physical separation in regards to Adult Inmates.
- b. If for some reason, sight, sound or physical separation cannot be maintained outside of the housing unit, Detention Center staff will have direct physical supervision of Youthful Offenders until sight, sound or separation can be restored.

E. Programming:

- a. Youthful Offenders will be allowed access to all available programming within the Detention Center unless exigent circumstances exist.
- b. Any time Youthful Offenders are denied programming due to exigent circumstances, the facility will document them and forward them to the PREA Coordinator.