

# PREA Facility Audit Report: Final

**Name of Facility:** Marshall E. Sherrer Correctional Center

**Facility Type:** Prison / Jail

**Date Interim Report Submitted:** 05/24/2019

**Date Final Report Submitted:** 09/23/2019

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
<b>Auditor Full Name as Signed:</b> Steven Cubello	<b>Date of Signature:</b> 09/23/2019

AUDITOR INFORMATION	
<b>Auditor name:</b>	Cubello, Steven
<b>Address:</b>	
<b>Email:</b>	Steven.Cubello@maryland.gov
<b>Telephone number:</b>	
<b>Start Date of On-Site Audit:</b>	2019-04-03
<b>End Date of On-Site Audit:</b>	2018-04-04

<b>FACILITY INFORMATION</b>	
<b>Facility name:</b>	Marshall E. Sherrer Correctional Center
<b>Facility physical address:</b>	1318 North 14th Street, Milwaukee, Wisconsin - 53205
<b>Facility Phone</b>	414 343 5000
<b>Facility mailing address:</b>	

<b>Primary Contact</b>	
<b>Name:</b>	Gary Mitchell
<b>Email Address:</b>	Gary.mitchell@wisconsin.gov
<b>Telephone Number:</b>	4143435006

<b>Warden/Jail Administrator/Sheriff/Director</b>	
<b>Name:</b>	Quala Champagne/Gary Mitchell
<b>Email Address:</b>	Quala.Champagne@wisconsin.gov
<b>Telephone Number:</b>	608-240-5320

<b>Facility PREA Compliance Manager</b>	
<b>Name:</b>	
<b>Email Address:</b>	
<b>Telephone Number:</b>	
<b>Name:</b>	Gary Mitchell
<b>Email Address:</b>	Gary.Mitchell@wisconsin.gov
<b>Telephone Number:</b>	M: 414 874-1603

<b>Facility Health Service Administrator On-site</b>	
<b>Name:</b>	Lon Becher
<b>Email Address:</b>	Lon.Becher@wisconsin.gov
<b>Telephone Number:</b>	608-240-5144

<b>Facility Characteristics</b>	
<b>Designed facility capacity:</b>	60
<b>Current population of facility:</b>	60
<b>Average daily population for the past 12 months:</b>	
<b>Has the facility been over capacity at any point in the past 12 months?</b>	No
<b>Which population(s) does the facility hold?</b>	
<b>Age range of population:</b>	
<b>Facility security levels/inmate custody levels:</b>	Minimum and minimum community
<b>Does the facility hold youthful inmates?</b>	No
<b>Number of staff currently employed at the facility who may have contact with inmates:</b>	20
<b>Number of individual contractors who have contact with inmates, currently authorized to enter the facility:</b>	
<b>Number of volunteers who have contact with inmates, currently authorized to enter the facility:</b>	

<b>AGENCY INFORMATION</b>	
<b>Name of agency:</b>	Wisconsin Department of Corrections
<b>Governing authority or parent agency (if applicable):</b>	State of Wisconsin
<b>Physical Address:</b>	3099 East Washington Avenue, Madison, Wisconsin - 53707
<b>Mailing Address:</b>	PO Box 7925, Madison, Wisconsin - 53707
<b>Telephone number:</b>	(608) 240-5000

<b>Agency Chief Executive Officer Information:</b>	
<b>Name:</b>	Kevin Carr
<b>Email Address:</b>	Kevin.Carr@wisconsin.gov
<b>Telephone Number:</b>	(608) 240-5065

<b>Agency-Wide PREA Coordinator Information</b>			
<b>Name:</b>	Leigha Weber	<b>Email Address:</b>	Leigha.Weber@wisconsin.gov



## AUDIT FINDINGS

### **Narrative:**

The auditor's description of the audit methodology should include a detailed description of the following processes during the pre-audit, on-site audit, and post-audit phases: documents and files reviewed, discussions and types of interviews conducted, number of days spent on-site, observations made during the site-review, and a detailed description of any follow-up work conducted during the post-audit phase. The narrative should describe the techniques the auditor used to sample documentation and select interviewees, and the auditor's process for the site review.

The Prison Rape elimination Act (PREA) on-site audit of Marshall Sherrer Correctional Center (MSCC) was conducted on April 3-4, 2019, by Steve Cubello (Lead Auditor) and David Wolinski from Maryland, U.S. Department of Justice Certified PREA Auditors for Adult Jails and Prisons. This audit was conducted as part of an interstate consortium consisting of Pennsylvania, Maryland, Michigan, and Wisconsin. Audit notices were posted throughout the facility, six weeks prior to the onsite review. The PREA coordinator sent photos by email verifying that the notices were posted, documenting the timely posting. To date, the Auditor has not received any letters from this facility.

The audit was conducted using the Online Audit System (PREA OAS) developed by the PREA Resource Center. The MSCC staff was requested to complete the Pre-Audit Questionnaire, and it was provided to the auditors along with supporting documents that was uploaded to the PREA OAS in the weeks preceding the on-site review part of the audit. The Pre-Audit preparation by the auditors included a thorough review of all documentation and materials submitted by the facility, along with the data included in the completed Pre-Audit Questionnaire. The documentation review included agency policies, procedures, forms, educational materials, training curriculum, organizational charts, posters, brochures, and other PREA related materials that were provided to demonstrate compliance with the PREA standards. The review prompted some questions that were presented to the PREA compliance manager during the on-site visit.

On April 3, 2019, both auditors entered MSCC at approximately 1500 hours, and an entrance conference occurred shortly thereafter. Present were Gary Mitchell, MSCC Superintendent/PREA Compliance Manager; and Christopher Kennedy, Correctional Officer Captain.

At the request of the Auditors, a staff roster (names, shift worked, job classification) and a current list of inmates was provided. The auditors were provided private offices that could be used for interviews. Inmate and Staff interviewees were conducted using the recommended U.S Dept. of Justice protocols. Inmate interviews were selected based on their housing area and special needs. Staff interviewees included specialized staff and random staff. MSCC has an adequate but small number of staff that works at this facility, some staff have multiple responsibilities. Due to this reason, some staff was interviewed for multiple specialties. For example, the Captain was interviewed as an investigative staff person and also as an intermediate or higher-level staff person.

During the tour, the auditor considered such things as supervision levels, blind spots, compliance with policies, and the overall safety of inmates in this facility. As the tour progressed, the auditor observed the placement of cameras, mirrors, staff supervision, cell layout including showers, bathroom stalls, placement of posters, and other PREA related information. There were no cameras placed unnecessarily that would infringe on inmate privacy. There were an adequate number of signs placed in the facility, providing PREA information and the right to be free from sexual abuse and sexual harassment. The

shower area allowed inmates to shower separately and shower stalls have curtains for additional privacy. The bathroom/toilet area is enclosed, allowing inmates privacy while still meeting security needs.

MSCC has 16 cameras and a tour of the camera room was included in the tour. All of the cameras in the facility can be monitored from this location as well the Superintendent's and Captain's office. The cameras in this facility provide excellent coverage and help keep inmates safe. The need for additional cameras is reviewed annually.

To summarize the tour, MSCC was very well run. It is obvious that staff cares about PREA and the inmates in general. The staff and inmates were very well informed about PREA. Staff knew exactly what to do if an incident were to occur and they understood the agency's policy on PREA.

The Auditors were treated with great hospitality during our stay at MSCC. All the staff and inmates were made readily available. We were provided with all documentation requested and we were given access to all parts of the facility during the tour.

The Auditors conducted an exit conference on Thursday April, 3, 2019. Everyone who attended the entrance conference were present.

## AUDIT FINDINGS

### **Facility Characteristics:**

The auditor's description of the audited facility should include details about the facility type, demographics and size of the inmate or resident population, numbers and type of staff positions, configuration and layout of the facility, numbers of housing units, description of housing units including any special housing units, a description of programs and services, including food service and recreation. The auditor should describe how these details are relevant to PREA implementation and compliance.

### Facility Characteristics:

MSCC is located at 1318 N. 14th Street, Milwaukee, WI 53205. MSCC opened in 1981 and has a maximum capacity of 60 inmates. MSCC is part of the Wisconsin Correctional System that is comprised of 14 adult male correctional centers and overseen by a single warden. They house minimum & minimum-community custody. MSCC offers work release programs with local employers for qualified inmates.

MSCC is a single story brick building built in downtown Milwaukee in a residential neighborhood. They have 1 administrative wing and 3 housing wings which are viewable by the central control. There are a total of 16 cameras at MSCC. They have cameras located on the exterior, rec room, weight room, dining/visitation, housing wings, control entrance, and rear hall. The Superintendent and the Captain also have the ability to view those cameras from their office.

**AUDIT FINDINGS**

**Summary of Audit Findings:**

The summary should include the number of standards exceeded, number of standards met, and number of standards not met, along with a list of each of the standards in each category. If relevant, provide a summarized description of the corrective action plan, including deficiencies observed, recommendations made, actions taken by the agency, relevant timelines, and methods used by the auditor to reassess compliance. Auditor Note: No standard should be found to be "Not Applicable" or "NA". A compliance determination must be made for each standard.

<b>Number of standards exceeded:</b>	0
<b>Number of standards met:</b>	45
<b>Number of standards not met:</b>	0

Summary of Audit Findings:

115.17: MSCC had 2 staff members who didn't have an updated background check within the past 5 years.

Summary of Corrective Action Period:

During the corrective action period, MSCC completed the background checks for the 2 staff members who did not have a current (within 5 years) background check on file.

MSCC has satisfactory completed the corrective action plan and this standard is now considered "meets standard".

Number of Standards Exceeded: 0

Number of Standards Met: 45

115.11,115.12, 115.13,115.14, 115.15, 115.16, 115.17, 115.18, 115.21, 115.22,115.31, 115.32, 115.33, 115.34, 115.35,115.41 115.42, 115.43, 115.51, 115.52, 115.53, 115.54, 115.61, 115.62, 115.63, 115.64, 115.65, 116.66, 115.67, 115.68, 115.71, 115.72, 115.73, 115. 76, 115.77, 115.78, 115.81, 115.82, 115.83,115.86, 115.87, 115.88, 115.89, 115.401, 115.403

Number of Standards Not Met: 0

## Standards

### Auditor Overall Determination Definitions

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

### Auditor Discussion Instructions

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.

<b>115.11</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>
	<p data-bbox="305 159 906 191"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 233 557 264"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="305 306 1008 338">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 348 1373 457" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>3. Interviews with PREA Coordinator and Manager</li> </ol> <p data-bbox="305 510 613 541">Findings (By Subsection):</p> <p data-bbox="305 594 1417 779">115.11 (a) Wisconsin Department of Corrections (WIDOC) has a comprehensive policy on sexual abuse and sexual harassment. Executive Directive 72, Sexual Abuse and Sexual Harassment in Confinement (PREA) Section V clearly states that they have a zero tolerance for sexual abuse and sexual harassment in all of its facilities, including those in which they contract with.</p> <p data-bbox="305 831 1422 940">115.11 (b) WIDOC has designated Leigha Weber as agency-wide PREA coordinator. Ms. Weber reports that she has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities.</p> <p data-bbox="305 993 1433 1102">115.11 (c) Marshall Sherrer Correctional Center (MSCC) has designated Gary Mitchell as the facility's PREA Compliance Manager. Mr. Mitchell reports that he has sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards.</p> <p data-bbox="305 1155 589 1186">Corrective Action: None</p>

<b>115.12</b>	<b>Contracting with other entities for the confinement of inmates</b>
	<p data-bbox="305 157 906 189"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 231 557 262"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="305 304 1011 336">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 388 914 577" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Signed confinement contracts</li> <li>3. Correspondence with the contract administrator</li> <li>4. Contract compliance review reports</li> <li>5. Contractor’s PREA reports</li> </ol> <p data-bbox="305 630 617 661">Findings (By Subsection):</p> <p data-bbox="305 703 1445 777">115.12 (a) WIDOC contracts with 10 other entities for the confinement of its inmates. All of the contracts require that entity to adopt and comply with the PREA standards.</p> <p data-bbox="305 829 1396 903">115.12 (b) WIDOC has a policy in place to ensure that the contractor is complying with the PREA standards.</p> <p data-bbox="305 945 581 976">Corrective Action Plan:</p> <p data-bbox="305 1029 370 1060">None</p>

<b>115.13</b>	<b>Supervision and monitoring</b>
	<p data-bbox="305 157 906 189"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 231 557 262"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="305 304 1010 336">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 388 1450 661" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. MSCC Facility Staffing Plan</li> <li>3. Interviews with PREA Coordinator , PREA Compliance Manager, Supervisory Staff, and Line Staff</li> <li>4. Rounds Log Books</li> <li>5. PREA Staffing Plan Annual Review Log</li> <li>6. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> </ol> <p data-bbox="305 703 617 735">Findings (By Subsection):</p> <p data-bbox="305 787 1412 861">115.13 (a) The agency has ensured that MSCC has developed a staffing plan on an annual basis and it takes into account the following:</p> <ol data-bbox="305 913 1177 1344" style="list-style-type: none"> <li>1. Generally accepted detention and correctional practices;</li> <li>2. Any judicial findings of inadequacy;</li> <li>3. Any findings of inadequacy from Federal investigative agencies;</li> <li>4. Any findings of inadequacy from internal or external oversight bodies;</li> <li>5. All components of the facility's physical plant</li> <li>6. The composition of the inmate population;</li> <li>7. The number and placement of supervisory staff;</li> <li>8. Institutional programs occurring on a particular shift;</li> <li>9. Any applicable State or Local laws, regulations, or standards;</li> <li>10. The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and</li> <li>11. Any other relevant factors.</li> </ol> <p data-bbox="305 1396 1429 1501">115.13 (b) This sub-standard is not applicable. MSCC did not have any circumstances where the staffing plan was not complied with. When a circumstance arises, they will fill the needed position with overtime.</p> <p data-bbox="305 1554 1429 1743">115.13 (c) On an annual basis, MSCC was able to show documentation that in consultation with the PREA coordinator that they assess, determine, and document whether they need to make changes to the staffing plan, need for additional cameras or other monitoring technologies, and whether or not they have enough staff to ensure that MSCC can adhere to the staffing plan.</p> <p data-bbox="305 1795 1445 2016">115.13 (d) In the MSCC log books, it clearly shows that supervisors are making rounds on all shifts. Interviews conducted with supervisory staff indicated that they make those rounds unannounced. Interviews with line staff confirmed that supervisors make unannounced rounds on all shifts, and they occur at different times/days so a pattern is not developed. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA) prohibits staff members from alerting or notifying other employees that supervisory rounds are occurring.</p>



Corrective Action: None

<b>115.14</b>	<b>Youthful inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	Evidence Reviewed (Documents, Interviews, Site Review):  <ol style="list-style-type: none"><li>1. Pre-Audit Questionnaire</li><li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA) Section XII. C.</li><li>3. Interviews with PREA Coordinator and Manager</li><li>4. Letter from the Administrator, Division of Adult Institutions</li><li>5. Inmate Roster</li></ol> Findings (By Subsection):  115.14 (a-c) The WIDOC Division of Adult Institutions prohibits youthful offenders from being housed in an Adult Institution. All Youthful Offenders are housed within the Wisconsin Division of Juvenile Corrections. A review of the inmate roster and interviews with the PREA Compliance Manager of the facility confirmed that they have not housed any youthful inmates at MSCC within the past 12 months.  Corrective Action: None

<b>115.15</b>	<b>Limits to cross-gender viewing and searches</b>
	<p data-bbox="305 159 906 191"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 233 557 264"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="305 306 1008 338">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 390 1373 621" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA) Section X</li> <li>3. Division of Adult Institutions (DAI) Policy # 306.17.02, Searches of Inmates</li> <li>4. Interviews with Staff &amp; Inmates</li> <li>5. Lesson title: Introduction to Body Searches</li> </ol> <p data-bbox="305 632 613 663">Findings (By Subsection):</p> <p data-bbox="305 705 1414 821">115.15 (a) Both Executive Directive 72 &amp; DAI Policy # 306.17.02 prohibit cross-gender strip searches or cross-gender body cavity searches except in exigent circumstances. Interviews with inmates and staff verified that these types of searches have not happened.</p> <p data-bbox="305 873 1219 905">115.15 (b) This substandard is N/A. MSCC does not house female inmates.</p> <p data-bbox="305 957 1446 1146">115.15 (c) Due to the makeup of the staff, the facility has not had to conduct any cross gender strip searches or cross-gender visual body cavity searches in an exigent circumstance. Agency policy (Executive Directive 72) requires that if the need were to occur, the facility would document those searches. Based upon the interviews, staff was aware of this policy and the requirement to document such searches, if this type of search was done.</p> <p data-bbox="305 1199 1446 1503">115.15 (d) Executive Directive 72 establishes policies and procedures that enable inmates 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. MSCC has a specific tone that is broadcast over the loud speaker system to announce the presence of female staff. They also utilize a blue light system. When the light is lit, it means that females are present on the housing unit. There is a sign under the light written in Spanish and English that specifically states that when the light is on, female staff are on the housing unit. Interviews with both staff and inmates confirmed the use of the light and tone.</p> <p data-bbox="305 1556 1446 1787">115.15 (e) Executive Directive 72, states that staff may not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, they may determine the inmate's genital status through conversations with the inmate, reviewing medical records, or by learning about information that was part of a broader medical examination conducted in a private setting by medical personnel. This was confirmed by staff and inmate interviews.</p> <p data-bbox="305 1839 1438 2028">115.15 (f) WIDOC has an extensive lesson plan dealing with body searches. Lesson Title: Introduction to Body Searches goes into great detail on how to conduct pat, strip, body cavity, and body content searches. Staff is trained on how to conduct these searches in addition to searches of transgender and intersex inmates, so they are searched in a professional and respectful manner that is least intrusive as possible, but still meets security needs. This</p>

training was confirmed by staff interviews.

Corrective Action: None

115.16	Inmates with disabilities and inmates who are limited English proficient
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>3. DAI Policy #: 300.00.35-Americans with Disability Act</li> <li>4. Staff and Inmate Interviews</li> <li>5. AT&amp;T Language Line</li> <li>6. Executive Directive 71: Language Assistance Policy and Implementation for Addressing Needs of Offenders with Limited English Proficiency (LEP)</li> <li>7. I-Speak Cards</li> </ol> <p>Findings (By Subsection):</p> <p>115.16 (a) Executive Directive 72 Section XI.B.4. ensures that inmates who have a disability have an equal opportunity to participate in or benefit from all aspects of WIDOC's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.</p> <p>115.16 (b) Executive Directive 71 establishes a policy on how to ensure that residents who are Limited English Proficient (LEP) have access to all aspects of the facility's efforts related to preventing, detecting, and responding to sexual abuse and sexual harassment. WIDOC has a contract with an interpretation service company to provide a way of communicating with inmates who do not speak English. MSCC currently does not have any inmates who were limited English speaking or had any disabilities, but they were able to demonstrate that they knew how to access the interpretation service line if the need arises.</p> <p>115.16 (c) Executive Directive 72 prohibits staff from relying on inmate interpreters or other types of inmate assistants, except in exigent circumstances. Staff was well aware of the language interpretation line and how to use this service.</p> <p>Corrective Action: None</p>

<b>115.17</b>	<b>Hiring and promotion decisions</b>
	<p data-bbox="305 159 906 191"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 233 557 264"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="305 306 1008 338">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 390 1373 579" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Application form</li> <li>3. Interviews with HR Staff</li> <li>4. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>5. Completed Background Check Information</li> </ol> <p data-bbox="305 632 613 663">Findings (By Subsection):</p> <p data-bbox="305 716 1446 894">115.17 (a) Executive Directive 72 prohibits the hiring or promoting of anyone who may have contact with inmates and prohibits the enlisting of services of any contractor who has engaged in sexual abuse in a confinement setting, has been convicted or attempted to engage in sexual activity in the community and/or anyone who has been civilly or administratively adjudicated to have engaged in any sexual activity.</p> <p data-bbox="305 947 1430 1062">115.17 (b) The agency has documentation supporting that it considers any incident of sexual harassment when deciding to hire or promote anyone, or to enlist the services of a contractor who may have contact with inmates.</p> <p data-bbox="305 1115 1430 1293">115.17 (c) The Wisconsin Correctional Center System (WCCS) HR Department completes a criminal background check that is Consistent with Federal, State, and Local Law. If an individual is a contract employee, the Central Office performs a criminal background check. A sample was taken of new hires and staff that were promoted, to ensure that background checks were reviewed.</p> <p data-bbox="305 1346 1430 1419">115.17 (d) WIDOC performs a criminal background check before enlisting the services of any contractor. This was verified by interviews and supporting documentation.</p> <p data-bbox="305 1472 1430 1587">115.17 (e) Each employee is listed in a database, and every 5 years a new set of fingerprints are supposed to be obtained. MSCC was missing a current background check for a couple of staff members.</p> <p data-bbox="305 1640 1414 1755">115.17 (f) The Agency/Facility both ask all applicants and employees who may have contact with inmates directly about previous sexual misconduct in written applications. WIDOC also requires current employees to disclose any such misconduct as they occur.</p> <p data-bbox="305 1797 1414 1913">115.17 (g) Agency policy and interviews with HR staff confirm that material omissions regarding sexual misconduct, or the provision of materially false information are grounds for determination.</p> <p data-bbox="305 1955 1414 2028">115.17 (h) Interviews with HR staff confirm that the agency will provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee</p>

upon receiving a request from another institutional employer.

Corrective Action:

MSCC needs to ensure that all employees have a background check completed at least within the past 5 years. Once MSCC receives the background checks for the 2 staff members who didn't have a current background check on file, they should send the documentation to the auditor. MSCC should also look into the reasons why certain staff didn't have a current background check on file and implement controls to ensure that this doesn't happen in the future.

Corrective Action:

During the corrective action period, MSCC completed the background checks for the 2 staff members who did not have a current (within 5 years) background check on file.

MSCC has satisfactory completed the corrective action plan and this standard is now considered "meets standard".

115.18	Upgrades to facilities and technologies
	<p data-bbox="302 982 906 1014"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="302 1056 557 1087"><b>Auditor Discussion</b></p> <p data-bbox="302 1129 1011 1161">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="302 1203 626 1329" style="list-style-type: none"><li>1. Pre-Audit Questionnaire</li><li>2. Interviews with Staff</li><li>3. Tour of Facility</li></ol> <p data-bbox="302 1371 613 1402">Findings (By Subsection):</p> <p data-bbox="302 1455 1174 1486">115.18 (a) MSCC has not substantially expanded or modified its facility.</p> <p data-bbox="302 1539 1320 1602">115.18 (b) MSCC has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since the last audit</p> <p data-bbox="302 1654 589 1686">Corrective Action: None</p>

<b>115.21</b>	<b>Evidence protocol and forensic medical examinations</b>
<b>Auditor Overall Determination:</b> Meets Standard	
<b>Auditor Discussion</b>	
<p>Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>3. Interviews with PREA Coordinator, PREA Manager, and Random Staff</li> <li>4. Phone Interviews with the Hospital and Victim Advocacy Group</li> </ol> <p>Findings (By Subsection):</p> <p>115.21 (a) MSCC is responsible for conducting administrative investigations. If the incident is or appears to be criminal, the Milwaukee Police Department will conduct those investigations. All investigations follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence.</p> <p>115.21 (b) The protocol used by MSCC is adapted from the National Commission on Correctional Healthcare Response to Sexual Abuse (2014).</p> <p>115.21 (c) If a sexual abuse incident were to occur at MSCC, the victim would be sent to Aurora Sinai Medical Center in Milwaukee, WI. The auditor spoke with the hospital and verified that they do have Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) on staff. If a SAFE/SANE is not on duty someone is always available on call. Services are provided to the victim without financial cost pursuant to Executive Directive 72 Section XVI.</p> <p>115.21 (d) MSCC makes available to the victim a qualified agency staff member who has received specialized training to serve as a victim advocate. MSCC also has an agreement with the Sexual Assault Treatment Center located in Milwaukee, WI who is able to provide support and advocacy services.</p> <p>115.21 (e) WIDOC Executive Directive 72 Section XVI requires MSCC to allow a victim advocate, qualified staff member, or qualified community based member to accompany the victim through the forensic medical examination process and investigatory interviews if requested by the victim. MSCC has not had any inmates in the past 12 months who reported sexual abuse.</p> <p>115.21 (f) WIDOC Executive Directive 72 Section XVII requests that the Milwaukee Police Department follow the requirements of paragraph (a) through (e) of this section.</p> <p>115.21 (h) MSCC uses a qualified individual who is able to serve as a victim advocate. MSCC also has a contract with the Sexual Assault Treatment Center.</p> <p>Corrective Action: None</p>	

115.22	<b>Policies to ensure referrals of allegations for investigations</b>
	<p data-bbox="302 197 906 226"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="302 268 557 298"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="302 342 1011 371">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="302 424 1373 573" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Interviews</li> <li>3. WIDOC Webpage</li> <li>4. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> </ol> <p data-bbox="302 625 615 655">Findings (By Subsection):</p> <p data-bbox="302 707 1414 777">115.22 (a) WIDOC Executive Directive 72 mandates that all allegations of sexual abuse and sexual harassment are investigated completely.</p> <p data-bbox="302 829 1414 978">115.22 (b) The agency has a policy in place that if the allegation is potentially criminal, it will be investigated by the Milwaukee Police Department. All other investigations are handled by the facility, by PREA trained investigators. WIDOC publishes this information on its webpage under Prison Rape Elimination Act Unit.</p> <p data-bbox="302 1031 1446 1140">115.22 (c) Executive Directive 72, which is posted on the WIDOC webpage under Prison Rape Elimination Act, details the responsibility of both the agency and the local law enforcement agency responsible for criminal investigations.</p> <p data-bbox="302 1192 591 1222">Corrective Action: None</p>



<b>115.31</b>	<b>Employee training</b>
<b>Auditor Overall Determination:</b> Meets Standard	
<b>Auditor Discussion</b>	
<p>Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Staff Interviews</li> <li>3. Online PREA Training Module</li> <li>4. Training Progress Summary Report</li> <li>5. Staff Roster</li> </ol> <p>Findings (By Subsection):</p> <p>115.31 (a) MSCC submitted documentation from their PREA staff training curriculum. New employees receive classroom training in the academy. Staff already at the facility received PREA training every two years via an online training module. All employees are trained on the following 10 mandated elements:</p> <ol style="list-style-type: none"> <li>1. WIDOC's zero-tolerance policy for sexual abuse and sexual harassment;</li> <li>2. How to fulfill their responsibilities to prevent, detect, and report sexual abuse and sexual harassment;</li> <li>3. How inmates have the right to be free from sexual abuse and sexual harassment;</li> <li>4. Inmates and employees have the right to be free from retaliation for reporting sexual abuse and sexual harassment;</li> <li>5. The dynamics of sexual abuse and sexual harassment in confinement setting;</li> <li>6. Common reactions of sexual abuse and sexual harassment victims;</li> <li>7. Detecting and responding to signs of threatened and actual sexual abuse;</li> <li>8. How to avoid inappropriate relationships with inmates;</li> <li>9. How to communicate effectively and professionally with inmates, including LGBTQI inmates;</li> </ol> <p>and</p> <ol style="list-style-type: none"> <li>10. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.</li> </ol> <p>115.31 (b) All WIDOC employees receive training for dealing with both female and male inmates.</p> <p>115.31 (c) MSCC was able to show that all employees at their facility have been trained on PREA. In years where training is not mandatory, staff receive refresher information.</p> <p>115.31 (d) WIDOC's online PREA training module requires that staff receive an 80% or higher in order to pass the course. Individuals who fail the test are able to review the video again and retake the exam. This is logged into the computer system.</p> <p>Corrective Action: None</p>	

115.32	<b>Volunteer and contractor training</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Interview with Volunteer</li> <li>3. Training Documentation</li> <li>4. PREA Guide for Volunteers and Contractor's Pamphlet</li> </ol> <p>Findings (By Subsection):</p> <p>115.32 (a) WIDOC Policy requires each volunteer and contractor who has contact with inmates to be trained on their responsibilities related the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. MSCC reports that volunteer and contractors have been trained for PREA.</p> <p>115.32 (b) MSCC requires all volunteers and contractors who have contact with inmates to go through an orientation class that includes PREA training.</p> <p>115.32 (c) MSCC requires all volunteers and contractors to sign an acknowledgment stating that they have received and understood the training.</p> <p>Corrective Action: None</p>

<b>115.33</b>	<b>Inmate education</b>
<b>Auditor Overall Determination:</b> Meets Standard	
<b>Auditor Discussion</b>	
<p>Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Interviews with Intake Staff, Inmate Training Staff, and Inmates</li> <li>3. Sexual Abuse and Sexual Harassment Prevention and Intervention Handbook</li> <li>4. Inmate PREA Video</li> <li>5. Tour Observations</li> </ol> <p>Findings (By Subsection):</p> <p>115.33 (a) MSCC inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment during the intake process. They are also given information on how to report incidents or suspicions of sexual abuse. Inmates are told about these policies and are given a Sexual Abuse and Sexual Harassment Prevention and Intervention handbook during intake.</p> <p>115.33 (b) MSCC provides a more comprehensive education on their rights to be free from sexual abuse and sexual harassment. MSCC has a video that is in English that inmates are required to watch. If needed, a Spanish version is also available.</p> <p>115.33 (c) There were no inmates found to have not been trained on the PREA standards at MSCC. Also, Agency Policy Executive Directive 72 requires that all inmates receive PREA education upon transfer to a different facility.</p> <p>115.33 (d) The agency and MSCC provide education in multiple formats to all inmates including those who are limited English proficient, deaf, visually impaired, or otherwise disabled. Some examples included audio for visually impaired individuals and Spanish signs/videos for those who are Limited English proficient (LEP). Finally, the agency has a language interpretation line, and during interviews staff said they would use that if needed to help ensure those inmates who are LEP received the proper PREA training.</p> <p>115.33 (e) MSCC maintains an electronic training log that inmates sign in order to document that they have received PREA education.</p> <p>115.33 (f) MSCC had posters throughout the facility related to PREA and also had the PREA Sexual Abuse and Sexual Harassment Prevention and Intervention Handbook readily available for inmates.</p> <p>Corrective Action: None</p>	

<b>115.34</b>	<b>Specialized training: Investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA) Section XI</li> <li>3. Training Curriculum</li> <li>4. Training PowerPoint Slides</li> <li>5. Interviews with Investigatory Staff</li> </ol> <p>Findings (By Subsection):</p> <p>115.34 (a) All WIDOC Investigatory Staff receive the training that is required in § 115.31. Investigatory Staff received extensive training in Madison, Wisconsin at the Central Office related to conducting PREA investigations in a confinement setting.</p> <p>115.34 (b) A review of the training curriculum and based off of interviews with investigatory staff, they were properly trained in interviewing sexual abuse victims. They were also able to explain when to use Miranda and Garrity warnings. The training also included evidence collection.</p> <p>115.34 (c) WIDOC has 425 trained investigators and each individual's training is maintained in a database.</p> <p>Corrective Action: None</p>

<b>115.35</b>	<b>Specialized training: Medical and mental health care</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Training Curriculum</li> <li>3. PREA Training Computer Module</li> <li>4. Interviews with Medical and Mental Health Care Staff</li> <li>5. Interview with Aurora Sinai Medical Center</li> </ol> <p>Findings (By Subsection):</p> <p>115.35 (a) WIDOC has trained all Medical and Mental Health Care Practitioners on the following 4 mandated elements:</p> <ol style="list-style-type: none"> <li>1. How to detect and assess signs of sexual abuse and sexual harassment</li> <li>2. How to preserve evidence</li> <li>3. How to respond effectively and professionally to victims of sexual abuse and sexual harassment</li> <li>4. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.</li> </ol> <p>115.35 (b) This substandard is N/A. All inmates requiring forensic medical examinations are sent to the hospital (Aurora Sinai Medical Center) where the examination is performed by either a SAFE/SANE nurse.</p> <p>115.35 (c) WIDOC has trained 2 Medical and Mental Health Care workers at MSCC. The training is documented on an electronic training log.</p> <p>115.35 (d) ALL employees having contact with inmates, including Medical and Mental Health Care workers, receive the training required under § 115.31. Documentation of the training received is maintained at MSCC and can be found on the training log.</p> <p>Corrective Action: None</p>

115.41	Screening for risk of victimization and abusiveness
	<p data-bbox="305 159 906 191"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 233 557 264"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="305 306 1008 338">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 390 1373 617" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Interviews with Staff and Inmates</li> <li>3. PREA Screening Tool</li> <li>4. Inmate Roster</li> <li>5. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA) Section XII</li> </ol> <p data-bbox="305 669 615 701">Findings (By Subsection):</p> <p data-bbox="305 753 1398 863">115.41 (a) WIDOC Executive Directive 72 Section XII requires all inmates to be assessed during intake and upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates.</p> <p data-bbox="305 915 1433 982">115.41 (b) WIDOC Executive Directive 72 Section XII requires all intake screenings to take place within 72 hours of arrival. Based on a sample of intakes, MSCC meets the requirement.</p> <p data-bbox="305 1035 1398 1102">115.41 (c) MSCC uses an objective screening instrument to assess inmates of their risk of being sexually abused by others or being sexually abusive toward other inmates.</p> <p data-bbox="305 1155 1398 1222">115.41 (d) MSCC uses an objective screening instrument that uses the following criteria to assess the inmates risk of sexual victimizations:</p> <ol data-bbox="305 1274 1187 1667" style="list-style-type: none"> <li>1. Whether the inmate has a mental, physical, or developmental disability</li> <li>2. Age of the inmate</li> <li>3. Physical build of the inmate</li> <li>4. Prior incarceration status</li> <li>5. Whether prior incarceration status is exclusively nonviolent</li> <li>6. Prior convictions for sex offenses</li> <li>7. Whether the inmate is LGBTI, or gender nonconforming</li> <li>8. Experienced prior sexual victimization</li> <li>9. Inmate's own perception and vulnerability</li> <li>10. Whether the inmate is detained solely for civil immigration purposes</li> </ol> <p data-bbox="305 1719 1446 1829">115.41 (e) The initial screening tool considers prior acts of sexual abuse, prior convictions for violent offenses, and prior history of institutional violence to determine if the inmate is at risk of being sexually abusive.</p> <p data-bbox="305 1881 1406 1948">115.41 (f) MSCC reassesses the inmate's risk of victimization and/or abusiveness within 30 days of arrival to the facility and that process is documented in the system.</p> <p data-bbox="305 2001 1450 2032">115.41 (g) WIDOC Executive Directive 72 requires MSCC to reassess an inmate's status when</p>

warranted. This was confirmed during staff interviews stating that they would reassess an inmate when new information is learned.

115.41 (h) WIDOC Executive Directive 72 states that an inmate may not be disciplined for refusing to answer or not disclosing completed information related to the intake screening tool.

115.41 (i) MSCC has done a great job securing the screening form. Based off of interviews and access location of the forms, only those staff who need to know have access to the information disclosed or obtained on the form have access to it.

Corrective Action:

None

<b>115.42</b>	<b>Use of screening information</b>
	<p data-bbox="302 159 906 191"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="302 233 557 264"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="302 306 1008 338">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="302 390 1373 537" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Interviews with Staff</li> <li>3. Risk of Abusiveness ( ROA) or Risk of Victimization (ROV) Database</li> <li>4. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> </ol> <p data-bbox="302 590 613 621">Findings (By Subsection):</p> <p data-bbox="302 663 1446 936">115.42 (a) WIDOC Executive Directive 72 states that the facility shall use the information obtained in the screening tool to help keep those at high risk of being sexually victimized from those at high risk of being sexually abusive in housing, bed, work, education, and program assignments. MSCC classifies those inmates as either a ROA or ROV and keeps them separate in housing/bed assignments. MSCC did not have any inmates who were classified as a ROA or ROV at the time of the audit. However, the staff was aware of what needed to be done to separate and keep inmates safe if they did.</p> <p data-bbox="302 989 1373 1094">115.42 (b) WIDOC Executive Directive 72 requires individualized determinations how to ensure the safety of each inmate. This was confirmed that it was being done through the screening staff.</p> <p data-bbox="302 1146 1438 1293">115.42 (c) MSCC reported that they have had zero transgender or intersex inmates within the last 12 months. During interviews with staff, they said that they would consider whether to house those inmates in a male or female institution on a case-by-case basis which is consistent with Agency policy.</p> <p data-bbox="302 1346 1438 1451">115.42 (d) MSCC reported that they have had zero transgender or intersex inmates within the last 12 months. During interviews with staff, they said that if they did, they were aware of the Agency's policy and would reassess those inmates at least twice a year.</p> <p data-bbox="302 1503 1438 1608">115.42 (e) MSCC reported that they have had zero transgender or intersex inmates within the last 12 months. MSCC would ensure that transgender or intersex inmates can shower separately from other inmates.</p> <p data-bbox="302 1661 1390 1766">115.42 (f) WIDOC Executive Directive 72 requires a transgender or intersex inmate's own views with respect to his or her own safety shall be given serious consideration. Interviews with staff verified this would be the practice if they had these inmates at MSCC.</p> <p data-bbox="302 1818 1438 1965">115.42 (g) WIDOC Executive Directive 72 prohibits placing lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status. Based off of interviews and tour observations, there is no reason to believe that MSCC is not following policy.</p>



Corrective Action:
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None
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<b>115.43</b>	<b>Protective Custody</b>
<b>Auditor Overall Determination:</b> Meets Standard	
<b>Auditor Discussion</b>	
<p>Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Staff and Inmate Interviews</li> <li>3. Tour Observations</li> <li>4. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> </ol> <p>Findings (By Subsection):</p> <p>115.43 (a) WIDOC Executive Directive 72 Section XIII prohibits placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives have been made.</p> <p>115.43 (b) MSCC has not placed inmates at high risk for sexual victimization in involuntary segregated housing. MSCC does not have the ability to place inmates in involuntary segregation due to its design.</p> <p>115.43 (c) MSCC has not placed inmates at high risk for sexual victimization in involuntary segregated housing. MSCC does not have the ability to place inmates in involuntary segregation due to its design.</p> <p>115.43 (d) MSCC has not placed inmates at high risk for sexual victimization in involuntary segregated housing. MSCC does not have the ability to place inmates in involuntary segregation due to its design.</p> <p>115.43 (e) MSCC has not placed inmates at high risk for sexual victimization in involuntary segregated housing. MSCC does not have the ability to place inmates in involuntary segregation due to its design.</p> <p>Corrective Action: None</p>	

<b>115.51</b>	<b>Inmate reporting</b>
	<p data-bbox="305 159 906 191"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 233 558 264"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="305 306 1010 338">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 390 1373 579" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Staff and Inmate Interviews</li> <li>3. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>4. Tour Observations, PREA Posters</li> <li>5. Wisconsin DOC website</li> </ol> <p data-bbox="305 632 618 663">Findings (By Subsection):</p> <p data-bbox="305 705 1448 894">115.51 (a) WIDOC provides multiple internal ways for inmates to privately report PREA related issues. Inmates are given a red PREA guidebook, and within that guidebook it list all the internal ways an inmate can report. Inmates can tell any staff person, send a request to any staff person, call the PREA hotline reporting number, tell a family member and they can submit a report through the Wisconsin DOC webpage.</p> <p data-bbox="305 947 1448 1178">115.51 (b) WIDOC also provides inmates ways to report sexual abuse and sexual harassment that is not part of the agency. Inmates are able to contact local law enforcement and they are also able to call 888 from their inmate phones. There is no pin needed and the call goes directly to an outside entity that is not part of the agency. They are able to immediately forward all reports to agency officials, and If the inmate chooses to, they can remain anonymous upon request.</p> <p data-bbox="305 1230 1409 1335">115.51 (c) WIDOC policy mandates that staff need to accept all reports and shall document any verbal reports. Interviews with staff confirmed that they would accept any type of report made, whether it was verbal, in writing, anonymous, or from a third party.</p> <p data-bbox="305 1388 1403 1493">115.51 (d) WIDOC policy states that staff can utilize the same methods of reporting that inmates can use. Interviews with MSCC staff verified that they were well aware of how they could privately report sexual abuse and sexual harassment of inmates.</p> <p data-bbox="305 1545 591 1577">Corrective Action: None</p>

<b>115.52</b>	<b>Exhaustion of administrative remedies</b>
	<p data-bbox="305 157 906 189"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 231 557 262"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="305 304 1011 336">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 388 1377 499" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>3. Interviews with PREA Coordinator &amp; PREA Compliance Manager</li> </ol> <p data-bbox="305 546 617 577">Findings (By Subsection):</p> <p data-bbox="305 625 1437 819">115.52 This Standard is N/A. WIDOC does not have a formal administrative procedure to address inmate grievances regarding sexual abuse. If a report of sexual abuse is submitted through the administrative remedies system, it is immediately forwarded to facility leadership. MSCC has not had any reports of sexual abuse submitted through the administrative process by inmates in the past 12 months.</p> <p data-bbox="305 867 521 898">Corrective Action:</p> <p data-bbox="305 947 370 978">None</p>

115.53	<p><b>Inmate access to outside confidential support services</b></p> <p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>3. Interviews with PREA Compliance Manager, Local Advocacy Group, &amp; Random Staff</li> <li>4. Tour Observations</li> </ol> <p>Findings (By Subsection):</p> <p>115.53 (a) MSCC has recently entered into an agreement with the Sexual Assault Treatment Center to provide inmates with a local support services organization. The Sexual Assault Treatment Center, which is located in close proximity to MSCC, provides inmates with emotional support and advocacy services. This auditor spoke with the Sexual Assault Treatment Center who confirmed their role with providing support services to inmates who need support services related to sexual. MSCC has posters with the contact information for the Sexual Assault Treatment Center.</p> <p>115.53 (b) In the WIDOC inmate handbook, inmates are informed about the extent to which communications will be monitored. Inmates receive this information well before they are given access to outside support services.</p> <p>115.53 (c) WIDOC has entered into an agreement with a community services provider (Sexual Assault Treatment Center) that is able to provide confidential emotional support services related to sexual abuse.</p> <p>Corrective Action:</p> <p>None</p>
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<b>115.54</b>	<b>Third-party reporting</b>
	<p data-bbox="305 159 906 191"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 233 557 264"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="305 306 1011 338">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 390 626 495" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Staff Interview</li> <li>3. Wisconsin Website</li> </ol> <p data-bbox="305 548 613 579">Findings (By Subsection):</p> <p data-bbox="305 632 1438 737">115.54 (a) The Wisconsin Department of Corrections website lists all the staff who work in the PREA Unit with their contact number. Also on the website is an email link with instructions for third party reporting.</p> <p data-bbox="305 789 521 821">Corrective Action:</p> <p data-bbox="305 873 370 905">None</p>

<b>115.61</b>	<b>Staff and agency reporting duties</b>
	<p data-bbox="305 157 906 189"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 231 557 262"><b>Auditor Discussion</b></p> <p data-bbox="305 304 1011 336">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 388 1377 493" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>3. Interviews with Staff</li> </ol> <p data-bbox="305 546 617 577">Findings (By Subsection):</p> <p data-bbox="305 630 1450 819">115.61 (a) Executive Directive 72 Section XIV requires all staff to report immediately any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility. The Directive also prohibits retaliating against any inmate or staff who would report an incident of sexual abuse or sexual harassment. Interviews with staff indicated that they understood their reporting obligation.</p> <p data-bbox="305 871 1442 1018">115.61 (b) Executive Directive 72 Section XIV prohibits staff from revealing any information related to a sexual abuse report to anyone other than to the extent necessary. Interviews with staff indicated that they understood that they were only to reveal information to those who needed to know.</p> <p data-bbox="305 1071 1453 1176">115.61 (c) Executive Directive 72 Section XIV requires all Medical and Mental Health Staff to report Sexual Abuse and Sexual Harassment to officials. Medical and Mental Health Staff have inmates signed informed consents at the initiation of services.</p> <p data-bbox="305 1228 1445 1417">115.61 (d) Executive Directive 72 Section XIV requires the facility to report any sexual abuse allegation of youthful and vulnerable adults to the designated entity under the applicable mandatory reporting laws. Since MSCC does not house any youthful offenders, staff indicated that they would report any sexual abuse allegations of a vulnerable adult to the proper authorities.</p> <p data-bbox="305 1470 1448 1575">115.61 (e) Agency policy requires all allegations of sexual abuse and sexual harassment including third-party and anonymous reports. Staff interviews confirmed that they would report any and all allegations of sexual abuse and sexual harassment.</p> <p data-bbox="305 1627 519 1659">Corrective Action:</p> <p data-bbox="305 1711 370 1743">None</p>

<b>115.62</b>	<b>Agency protection duties</b>
	<p data-bbox="305 159 906 191"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 233 557 264"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="305 306 1011 338">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 390 1373 457" style="list-style-type: none"> <li data-bbox="305 390 1373 422">1. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li data-bbox="305 428 521 457">2. Staff Interviews</li> </ol> <p data-bbox="305 510 613 541">Findings (By Subsection):</p> <p data-bbox="305 594 1450 783">115.62 (a) Executive Directive 72 Section XVI requires that the facility take immediate action to protect an inmate when its learns that an inmate is subject to a substantial risk of imminent sexual abuse. In the past 12 months, MSCC has not had a case where they have learned about an inmate who was subject to a substantial risk of imminent sexual abuse. Staff at MSCC said they would take every measure possible to keep that inmate safe.</p> <p data-bbox="305 835 521 867">Corrective Action:</p> <p data-bbox="305 919 370 951">None</p>



<b>115.63</b>	<b>Reporting to other confinement facilities</b>
	<p data-bbox="305 159 906 191"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 233 557 264"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="305 306 1011 338">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 390 813 499" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Interview with Staff and Superintendent</li> <li>3. Incident Report</li> </ol> <p data-bbox="305 548 615 579">Findings (By Subsection):</p> <p data-bbox="305 632 1446 821">115.63 (a,b &amp; c) WIDOC has a policy that requires a facility that has received an allegation of an inmate who was sexually abused at another facility, the head of the facility that receives the allegation must notify the head of the facility where the allegation occurred within 72 hours. MSCC has not been informed by an inmate that they were sexually abused while incarcerated at another facility.</p> <p data-bbox="305 873 1395 1020">115.63 (d) MSCC has not had an incident where they have received a notification from another facility stating that an inmate was sexual abused while they were incarcerated at MSCC. Staff is aware of the PREA requirement and Executive Directive 72 mandating that they investigate the allegation.</p> <p data-bbox="305 1073 591 1104">Corrective Action: None</p>

<b>115.64</b>	<b>Staff first responder duties</b>
	<p data-bbox="305 157 906 189"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 231 557 262"><b>Auditor Discussion</b></p> <p data-bbox="305 304 1011 336">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 388 1377 535" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Interviews with Staff</li> <li>3. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>4. First Responder Cards</li> </ol> <p data-bbox="305 588 617 619">Findings (By Subsection):</p> <p data-bbox="305 661 1417 735">115.64 (a) WIDOC Executive Directive 72 Section XVI details the first responder duties for a security staff member in accordance with the following:</p> <ol data-bbox="305 745 1445 1018" style="list-style-type: none"> <li>1. Separate the alleged victim and abuser;</li> <li>2. Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;</li> <li>3. If the abuse occurred within a time period that still allows for collection of physical evidence, request that the alleged victim not take any actions that could destroy the physical evidence;</li> <li>4. If the abuse occurred within a time period that still allows for collection of physical evidence, ensure that the alleged abuser not take any actions that could destroy the physical evidence.</li> </ol> <p data-bbox="305 1060 1429 1134">MSCC has not had an incident where a security member had to act as a first responder. Interviews with security staff confirmed they knew their role if such an incident were to occur.</p> <p data-bbox="305 1144 1393 1218">115.64 (b) WIDOC Executive Directive 72 Section XVI details the first responder duties for non-security staff member in accordance with the following:</p> <ol data-bbox="305 1260 1274 1333" style="list-style-type: none"> <li>1. Request that victim not take any actions that could destroy physical evidence;</li> <li>2. Notify security staff.</li> </ol> <p data-bbox="305 1375 1429 1491">MSCC has not had an incident where a non-security member had to act as a first responder. Interviews with non-security staff confirmed they knew their role if such an incident were to occur.</p> <p data-bbox="305 1543 519 1575">Corrective Action:</p> <p data-bbox="305 1627 373 1659">None</p>

<b>115.65</b>	<b>Coordinated response</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	Evidence Reviewed (Documents, Interviews, Site Review):  1. Pre-Audit Questionnaire 2. Interviews with Staff 3. MSCC Coordinated Response Plan  Findings (By Subsection):  115.65 (a) MSCC has a detailed coordinated response plan. The plan has a flow chart to help ensure each step is completed and in what order. The Warden of MSCC and the Superintendent of MSCC indicated during their interview that MSCC staff are trained on how to initially respond to an incident of sexual abuse and will take appropriate actions.  Corrective Action:  None

<b>115.66</b>	<b>Preservation of ability to protect inmates from contact with abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	Evidence Reviewed (Documents, Interviews, Site Review):  1. Pre-Audit Questionnaire 2. Staff Interviews 3. Internet Search  Findings (By Subsection):  115.66 (a) The WIDOC has not entered into any collective bargaining agreement or any other agreement that would limit the agency's ability to remove alleged staff sexual abusers from contact with any inmate pending the outcome of an investigation. Interviews with the Agency Head and the Warden confirm that they would remove alleged staff sexual abusers from contact with inmates, if warranted.  Corrective Action:  None



115.67	<b>Agency protection against retaliation</b>
	<p data-bbox="305 157 906 189"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 231 557 262"><b>Auditor Discussion</b></p> <p data-bbox="305 304 1011 336">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 388 1377 535" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>3. Interviews with Agency Head, PREA Compliance Manager &amp; Retaliation Monitor</li> <li>4. Investigation List</li> </ol> <p data-bbox="305 588 617 619">Findings (By Subsection):</p> <p data-bbox="305 661 1421 735">115.67 (a) WIDOC Executive Directive 72 establishes an agency policy that protects all staff and inmates who report sexual abuse or sexual harassment from retaliation by others.</p> <p data-bbox="305 787 1442 976">115.67 (b) WIDOC Executive Directive 72 establishes different measures for protecting inmates and staff members who fear retaliation for reporting sexual abuse/harassment. Interviews with the Agency Head, Warden, and Superintendent confirm they will do everything possible to keep those who have reported, safe. Some examples of things they would do are housing changes, transfers to another institution, and removal of alleged staff.</p> <p data-bbox="305 1029 1429 1218">115.67 (c) WIDOC Executive Directive 72 requires the facility to monitor the conduct and treatment of those who report sexual abuse or sexual harassment for a minimum of 90 days. Interviews with the Superintendent and the Social Worker confirmed they are the individuals who would monitor for retaliation. In the past 12 months, they have not had to monitor for retaliation, but have a process in place in case the need arises.</p> <p data-bbox="305 1270 1421 1417">115.67 (d) WIDOC Executive Directive 72 requires periodic state check of those who report sexual abuse and sexual harassment. Interviews with the Superintendent and Social Worker confirmed they would conduct periodic status checks to ensure that there were no signs suggesting possible retaliation.</p> <p data-bbox="305 1470 1437 1617">115.67 (e) WIDOC Executive Directive 72 requires that anyone who cooperates with an investigation and fears retaliation will receive appropriate measures to help protect that individual against retaliation. Interviews with the Superintendent confirmed that he would take the necessary steps to protect any individual who cooperates with an investigation.</p> <p data-bbox="305 1669 519 1701">Corrective Action:</p> <p data-bbox="305 1753 365 1785">None</p>

<b>115.68</b>	<b>Post-allegation protective custody</b>
	<p data-bbox="305 159 906 191"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 233 558 264"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="305 306 1010 338">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 390 1373 537" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>3. Tour Observations</li> <li>4. Staff and Inmate Interviews</li> </ol> <p data-bbox="305 590 617 621">Findings (By Subsection):</p> <p data-bbox="305 674 1403 779">115.68 (a) WIDOC Executive Directive 72 prohibits the placement of inmates who allege to have suffered sexual abuse in involuntary segregated housing unless an assessment of all available alternatives has been made. MSCC does not have segregated housing.</p> <p data-bbox="305 831 521 863">Corrective Action:</p> <p data-bbox="305 915 370 947">None</p>

<b>115.71</b>	<b>Criminal and administrative agency investigations</b>
	<p data-bbox="305 159 906 191"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 233 557 264"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="305 306 1008 338">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 390 1373 537" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>3. Interviews with Investigatory staff</li> <li>4. Investigation List</li> </ol> <p data-bbox="305 590 613 621">Findings (By Subsection):</p> <p data-bbox="305 663 1446 852">115.71 (a) WIDOC Executive Directive 72 Section XVII mandates that Investigators investigate all allegations of sexual abuse and sexual harassment promptly, thoroughly, and objectively for all allegations. Interviews with staff in charge of conducting investigations confirmed that they follow this policy. MSCC reports that they have had 1 allegation of sexual abuse and sexual harassment in the past 12 months.</p> <p data-bbox="305 905 1414 1020">115.71 (b) WIDOC has trained 425 staff members in the Department who have received specialized training in sexual abuse investigations. These staff members received a training certificate demonstrating that they have completed the training.</p> <p data-bbox="305 1073 1422 1262">115.71 (c) WIDOC Investigators were trained in how to gather and preserve direct and circumstantial evidence. WIDOC follows their evidence protocol and first responder protocol related to protecting and preserving the scene and evidence. If the sexual abuse allegation potentially involves criminal behavior, the Milwaukee Police Department would be called and they would be in charge of the investigation.</p> <p data-bbox="305 1314 1446 1461">115.71 (d) WIDOC policy states that when there is evidence that appears to support criminal prosecution, MSCC would contact the Milwaukee Police Department and they would take over the investigation. MSCC Investigators interviewed said that they would document this transaction.</p> <p data-bbox="305 1514 1422 1703">115.71 (e) WIDOC Executive Directive 72 Section XVII prohibits requiring an inmate, who alleges sexual abuse, to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation. Also, the credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis. Interviews with MSCC trained investigator's corroborated that this policy is followed in practice.</p> <p data-bbox="305 1755 1455 1944">115.71 (f) WIDOC Executive Directive 72 Section XVII requires the Investigation's Staff to make an effort to determine whether staff actions or failures to act contributed to the abuse and document in a written report a description of the evidence, the reasoning behind credibility assessments, and investigative facts and findings. Interviews with MSCC trained investigator's corroborated this policy is followed in practice.</p> <p data-bbox="305 1997 1325 2028">115.71 (g) The Milwaukee Police Department conducts all criminal investigations for</p>

allegations of criminal activity at MSCC. Their report follows the requirements of this standard.

115.71 (h) The Milwaukee Police Department conducts all criminal investigations for allegations of criminal activity at MSCC. Any substantiated allegations of conduct that appears to be criminal would be forwarded for prosecution.

115.71 (I) WIDOC Executive Directive 72 Section XVII requires that all written reports pertaining to the administrative or criminal investigation of alleged sexual abuse and sexual harassment for as long as the alleged abuser is incarcerated or employed by the agency, plus 10 years.

115.71 (j) WIDOC Executive Directive 72 Section XVII requires that if the alleged abuser or victim departs the facility, that the investigation still proceed. Interviews with MSCC trained investigators corroborated that this policy is followed in practice.

115.71 (k) N/A

115.71 (I) WIDOC Executive Directive 72 Section XVII requires that when an outside investigation of sexual abuse occurs, that the facility cooperate with outside investigators and that they remain informed about the progress. Interviews with MSCC confirmed that they remain informed about the progress of the investigation.

Corrective Action:

None

115.72	Evidentiary standard for administrative investigations
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	Evidence Reviewed (Documents, Interviews, Site Review):  1. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA) 2. Interviews with Investigatory staff  Findings (By Subsection):  115.72 (a) Executive Directive 72 Section XVII prohibits Investigatory staff from imposing a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. Interviews with MSCC trained investor's corroborated this standard is followed in practice.  Corrective Action: None



<b>115.73</b>	<b>Reporting to inmates</b>
<b>Auditor Overall Determination:</b> Meets Standard	
<b>Auditor Discussion</b>	
<p>Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol style="list-style-type: none"> <li>1. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>2. Sample Notification Letter</li> <li>3. Interviews with Investigatory staff &amp; Security Chief</li> <li>4. Pre-Audit Questionnaire</li> </ol> <p>Findings (By Subsection):</p> <p>115.73 (a) WIDOC Executive Directive 72 Section XVII requires the inmate to receive notification as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. In the past 12 months MSCC has one(1) allegation of sexual abuse in the facility. MSCC was able to show the auditor a memo documenting the notification.</p> <p>115.73 (b) WIDOC Executive Directive 72 Section XVII requires the facility to request relevant information from the investigation in order to inform the inmate. Interviews with the Superintendent and Investigator confirmed that this would be the practice if an incident requiring another investigative agency were to occur.</p> <p>115.73 (c) WIDOC Executive Directive 72 Section XVII requires the facility to inform the inmate who alleges that a staff member committed sexual abuse against the inmate whenever:</p> <ol style="list-style-type: none"> <li>1. The staff member is no longer posted within the inmate's unit;</li> <li>2. The staff member is no longer employed at the facility;</li> <li>3. The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility;</li> <li>4. The agency learns that the staff member has been convicted on a charge related to sexual abuse with the facility.</li> </ol> <p>115.73 (d) WIDOC Executive Directive 72 Section XVII requires the facility to inform the inmate who alleges that another inmate committed sexual abuse against the inmate whenever:</p> <ol style="list-style-type: none"> <li>1. The agency learns that the alleged abuser has been indicted or a charge related to sexual abuse within the facility;</li> <li>2. The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.</li> </ol> <p>115.73 (e) WIDOC Executive Directive 72 requires all notifications or attempted notifications to be documented. MSCC provided the auditor with the notifications.</p> <p>Corrective Action:</p> <p>None</p>	



<b>115.76</b>	<b>Disciplinary sanctions for staff</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol style="list-style-type: none"> <li>1. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>2. Pre-Audit Questionnaire</li> <li>3. Interviews with Superintendent and Captain</li> </ol> <p>Findings (By Subsection):</p> <p>115.76 (a) WIDOC Executive Directive 72 Section XIX states that staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. MSCC reports that there have been no staff who have been disciplined for violating the agency's sexual abuse and sexual harassment policies.</p> <p>115.76 (b) WIDOC Executive Directive 72 Section XIX states that termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse.</p> <p>115.76 (c) WIDOC Executive Directive 72 Section XIX states that disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment shall be commensurate with the nature and circumstances of the acts committed, the staff members disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. MSCC reports that there have been zero staff who have been disciplined for violating the agency's policies relating to sexual abuse and sexual harassment.</p> <p>115.76 (d) WIDOC Executive Directive 72 Section XIX states that all terminations for violations of agency sexual abuse or sexual harassment, or resignations by staff that would have been terminated shall be reported to Milwaukee Police Department unless it was clearly not criminal. Those staff who have a license by a licensing board and violated the agency's policy regarding sexual abuse and sexual harassment will have those violations reported to the applicable licensing body by MSCC.</p> <p>Corrective Action:</p> <p>None</p>

<b>115.77</b>	<b>Corrective action for contractors and volunteers</b>
	<p data-bbox="305 157 906 189"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 231 557 262"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="305 304 1011 336">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 388 1377 499" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>3. Interviews with the Superintendent</li> </ol> <p data-bbox="305 546 617 577">Findings (By Subsection):</p> <p data-bbox="305 625 1453 819">115.77 (a) WIDOC Executive Directive 72 Section XIX provides that any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates. Potentially criminal conduct would be reported to Milwaukee Police Department and to any relevant licensing bodies. MSCC reports that they have had zero reports of sexual abuse of an inmate by a contractor or volunteer.</p> <p data-bbox="305 867 1430 1060">115.77 (b) WIDOC Executive Directive 72 Section XIX requires the facility to take appropriate remedial measures and considers whether to further prohibit contact with inmates by a contractor or volunteer who has violated the agency's sexual abuse and sexual harassment policies. MSCC reports that they have not had to take any measures against a volunteer or contractor for violating the agency's policy.</p> <p data-bbox="305 1108 521 1140">Corrective Action:</p> <p data-bbox="305 1188 370 1220">None</p>

<b>115.78</b>	<b>Disciplinary sanctions for inmates</b>
	<p data-bbox="305 157 906 189"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 231 557 262"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="305 304 1011 336">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 388 1377 499" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>3. Interviews with Superintendent and Captain</li> </ol> <p data-bbox="305 546 617 577">Findings (By Subsection):</p> <p data-bbox="305 625 1421 777">115.78 (a) WIDOC Executive Directive 72 provides that inmates who have committed offender-on-offender sexual abuse are subject to disciplinary sanctions pursuant to a formal disciplinary process. MSCC reports that during that past 12 months there have been zero findings of inmate-on-inmate sexual abuse.</p> <p data-bbox="305 829 1404 980">115.78 (b) WIDOC Executive Directive 72 provides that the sanctions for inmate-on-inmate sexual abuse should commensurate with the nature and circumstances of the violation, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories.</p> <p data-bbox="305 1033 1437 1144">115.78 (c) WIDOC Executive Directive 72 provides that the disciplinary process shall consider whether a perpetrating inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.</p> <p data-bbox="305 1192 1437 1304">115.78 (d) WIDOC Executive Directive 72 provides that MSCC consider requiring perpetrating inmates to participate in interventions, such as therapy or counseling. MSCC also would try to address and correct the underlying reasons or motivations for abuse.</p> <p data-bbox="305 1352 1437 1463">115.78 (e) WIDOC Executive Directive 72 provides that an inmate may only be disciplined for sexual contact with an employee upon a finding that the employee did not consent to such contact.</p> <p data-bbox="305 1512 1453 1663">115.78 (f) WIDOC Executive Directive 72 prohibits disciplinary action against an inmate that made a report of sexual abuse in good faith even if an investigation does not establish evidence sufficient to substantiate the allegation. The sexual abuse report would not constitute a false report.</p> <p data-bbox="305 1711 519 1743">Corrective Action:</p> <p data-bbox="305 1791 370 1822">None</p>

<b>115.81</b>	<b>Medical and mental health screenings; history of sexual abuse</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>3. Interviews with Medical and Mental Health</li> <li>4. Authorization for Disclosure of Non-Health Confidential Information Form</li> <li>5. Authorization for Use and Disclosure of Protected Health Information Form</li> <li>6. Risk Screening Data</li> </ol> <p>Findings (By Subsection):</p> <p>115.81 (a) WIDOC Executive Directive 72 Section XII requires that all inmates who have disclosed prior sexual victimization during an intake screening are offered a follow-up meeting with a mental health practitioner within 14 days of the initial or follow-up screening. In the past 12 months there have been zero (0) referrals.</p> <p>115.81 (b) WIDOC Executive Directive 72 Section XII requires that all inmates who have previously perpetrated sexual abuse, as indicated during the intake screening are offered a follow-up meeting with a mental health practitioner within 14 days of the screening. In the past 12 months there have been zero (0) referrals.</p> <p>115.81 (d) WIDOC Executive Directive 72 Section XII requires that appropriate controls be placed on the dissemination of information gathered from the initial and follow-up screenings to ensure that sensitive information is not exploited. Information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to medical and mental health clinicians and other employees, as necessary, to inform treatment plans and security and management decisions.</p> <p>115.81 (e) WIDOC Executive Directive 72 Section XII requires medical and mental health practitioners to obtain informed consent from the inmates before reporting information about prior sexual victimization that did not occur in an institutional setting. Interviews with medical and mental health staff confirmed that they follow this policy and the auditor reviewed a copy of the informed consent form.</p>

<b>115.82</b>	<b>Access to emergency medical and mental health services</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Interviews with Medical and Mental Health Staff</li> <li>3. Interviews with Security and Non-Security Staff</li> <li>4. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>5. Off-Site Service Request and Report (DOC-3001) Form</li> </ol> <p>Findings (By Subsection):</p> <p>115.82 (a) WIDOC Executive Directive 72 Section XVI requires inmate victims of sexual abuse to receive timely, unimpeded access to emergency medical treatment and crisis intervention series that is determined by medical and mental health practitioners according to their judgement. Interviews with medical and mental health providers indicated that the victim would receive the medical services required by this subsection.</p> <p>115.82 (b) WIDOC Executive Directive 72 Section XVI requires that if no qualified medical or mental health practitioners are on duty at the time of a report of recent sexual abuse is made, staff first responders will take steps to protect the victim and will notify the appropriate medical practitioners immediately. Interviews with both security and non-security staff verified that this would be the practice if an incident were to occur.</p> <p>115.82 (c) WIDOC Executive Directive 72 Section XVI requires inmate victims of sexual abuse while incarcerated to be offered timely information about timely access to emergency contraception and sexually transmitted infections prophylaxis. Interviews with medical staff confirmed that this policy is in practice at MSCC.</p> <p>115.82 (d) WIDOC Executive Directive 72 Section XVI requires that sexual abuse victims receive treatment services at no cost.</p> <p>Corrective Action: None</p>

<b>115.83</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>3. Tour Observations</li> <li>4. Interviews with Medical and Mental Health Staff</li> </ol> <p>Findings (By Subsection):</p> <p>115.83 (a) Executive Directive 72 Section XVI requires MSCC to offer medical and mental health evaluations and treatment to all inmates who have been sexually victimized while incarcerated.</p> <p>115.83 (b) Executive Directive 72 Section XVI requires and interviews with medical and mental health staff confirmed that victims of sexual abuse/harassment would receive appropriate levels of service as required by this subsection.</p> <p>115.83 (c) Executive Directive 72 Section XVI requires and interviews with medical and mental health staff confirmed that victims of sexual abuse receive medical and mental health services that is consistent with the community level of care.</p> <p>115.83 (d) This substandard is N/A, MSCC is an all-male facility.</p> <p>115.83 (e) This substandard is N/A, MSCC is an all-male facility.</p> <p>115.83 (f) Executive Directive 72 Section XVI requires and interviews with MSCC medical staff confirm that inmate victims of sexual abuse while incarcerated will be offered test for sexual transmitted infections as medically appropriate.</p> <p>115.83 (g) Executive Directive 72 Section XVI requires and interviews with MSCC medical staff confirm that treatment services will be provided at no financial cost for the victim.</p> <p>115.83 (h) Executive Directive 72 Section XVI requires and interviews with MSCC mental health care staff confirm that MSCC attempts to conduct a mental health evaluation of all know inmate-on-inmate abusers within 60 days of learning about such sexual abuse history.</p> <p>Corrective Action:</p> <p>None</p>



<b>115.86</b>	<b>Sexual abuse incident reviews</b>
<b>Auditor Overall Determination:</b> Meets Standard	
<b>Auditor Discussion</b>	
<p>Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>3. Interviews with the Superintendent &amp; Captain</li> <li>4. Incident Review Documentation</li> </ol> <p>Findings (By Subsection):</p> <p>115.86 (a) Executive Directive 72 Section XX requires the facility to conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation unless it was determined to be unfounded. MSCC reports that there have been one (1) investigation of alleged sexual abuse.</p> <p>115.86 (b) Executive Directive 72 Section XX requires the facility to conduct an incident review within 30 days of the conclusion of the investigation. MSCC reported one (1) sexual abuse investigation. The auditor was able to review the incident review documentation.</p> <p>115.86 (c) Executive Directive 72 outlines and MSCC staff have an incident review team in place when there is a need to conduct an incident review. For the incident review that was conducted, the team consisted of the Warden, Security Director, Human Resources Director, Superintendent, and Security Captain.</p> <p>115.86 (d) Executive Directive 72 Section XX requires the incident review to consider the following:</p> <ul style="list-style-type: none"> <li>• Whether the allegation of investigation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;</li> <li>• Whether the incident or allegation was motivated by race, ethnicity, gender identity, lesbian, gay, bisexual, transgender, or intersex identification, status or perceived status, gang affiliation, or was motivated or otherwise caused by other group dynamics at the facility;</li> <li>• Whether the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;</li> <li>• Whether there was adequate staffing levels in that area during the different shifts;</li> <li>• Whether monitoring technology should be deployed or augmented to supplement supervision by employees;</li> <li>• Prepare a report of its findings, and submit the report to the facility head and PREA Compliance Manager.</li> </ul> <p>115.86 (e) Executive Directive 72 Section XX requires the facility to implement the recommendations for improvement, or shall document its reasons for not doing so. Interviews with the Superintendent and Captain indicate that this would be the practice based on any findings and recommendations from the incident review report.</p>	

Corrective Action: None

<b>115.87</b>	<b>Data collection</b>
	<p data-bbox="305 159 906 191"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 233 557 264"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="305 306 1011 338">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 390 1373 495" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>3. Wisconsin DOC Website</li> </ol> <p data-bbox="305 548 613 579">Findings (By Subsection):</p> <p data-bbox="305 632 1450 821">115.87 (a)/(c) Executive Directive 72 Section XXI details the types of data that needs to be collected and it is, at a minimum, all the necessary data to answer all the questions from the most recent version of the Survey of Sexual Violence conducted by the DOJ. Data collected by the WIDOC is securely retained and maintained for at least 10 years after the data of initial collection.</p> <p data-bbox="305 873 1450 936">115.87 (b) WIDOC Executive Directive 72 Section XXI requires and practice indicates that they aggregate the incident based sexual abuse data on a annually bases.</p> <p data-bbox="305 989 1430 1094">115.87 (d) WIDOC Executive Directive 72 Section XXI requires them to maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.</p> <p data-bbox="305 1146 1422 1251">115.87 (e) WIDOC Executive Directive 72 Section XXI requires the agency to obtain incident based and aggregated data from the private contractors it uses for the confinement of its inmates.</p> <p data-bbox="305 1304 1450 1377">115.87 (f) WIDOC Executive Directive 72 Section XXI requires that the agency provide all such data from the previous calendar year to the DOJ no later than June 30th.</p> <p data-bbox="305 1430 521 1461">Corrective Action:</p> <p data-bbox="305 1514 370 1545">None</p>

<b>115.88</b>	<b>Data review for corrective action</b>
	<p data-bbox="305 159 906 191"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 233 557 264"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="305 306 1011 338">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 390 1373 495" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>3. Wisconsin DOC Website</li> </ol> <p data-bbox="305 548 618 579">Findings (By Subsection):</p> <p data-bbox="305 632 1446 821">115.87 (a)/(c) Executive Directive 72 Section XXI details the types of data that needs to be collected and it is, at a minimum, all the necessary data to answer all the questions from the most recent version of the Survey of Sexual Violence conducted by the DOJ. Data collected by the WIDOC is securely retained and maintained for at least 10 years after the data of initial collection.</p> <p data-bbox="305 873 1446 936">115.87 (b) WIDOC Executive Directive 72 Section XXI requires and practice indicates that they aggregate the incident based sexual abuse data on a annually bases.</p> <p data-bbox="305 989 1430 1094">115.87 (d) WIDOC Executive Directive 72 Section XXI requires them to maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.</p> <p data-bbox="305 1146 1422 1251">115.87 (e) WIDOC Executive Directive 72 Section XXI requires the agency to obtain incident based and aggregated data from the private contractors it uses for the confinement of its inmates.</p> <p data-bbox="305 1304 1446 1377">115.87 (f) WIDOC Executive Directive 72 Section XXI requires that the agency provide all such data from the previous calendar year to the DOJ no later than June 30th.</p> <p data-bbox="305 1430 521 1461">Corrective Action:</p> <p data-bbox="305 1514 367 1545">None</p>

<b>115.89</b>	<b>Data storage, publication, and destruction</b>
	<p data-bbox="305 157 906 189"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 231 557 262"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="305 304 1010 336">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 388 1372 493" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Executive Directive 72: Sexual Abuse and Sexual Harassment in Confinement (PREA)</li> <li>3. Interviews with PREA Coordinator</li> </ol> <p data-bbox="305 546 613 577">Findings (By Subsection):</p> <p data-bbox="305 630 1409 693">115.89 (a &amp; d) Executive Directive 72 Section XXI requires that data collected pursuant to § 115.87 is securely retained and that the information is maintained for at least 10 years.</p> <p data-bbox="305 745 1448 892">115.89 (b) Executive Directive 72 Section XXI requires that all aggregated sexual abuse data from the facilities under its control and those that it contracts with are made readily available to the public on its website. The auditor confirmed that the data is posted on the WIDOC website under Prison Rape Elimination Act.</p> <p data-bbox="305 945 1448 1060">115.89 (c) Executive Directive 72 Section XXI requires that all personal identifiers are removed before making the data available to the public. The auditor reviewed the reports listed on the WIDOC and did not see any personally identifiable information.</p> <p data-bbox="305 1113 519 1144">Corrective Action:</p> <p data-bbox="305 1186 370 1218">None</p>

115.401	<p><b>Frequency and scope of audits</b></p> <p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol style="list-style-type: none"> <li>1. WIDOC Website</li> <li>2. Inmate Interviews</li> <li>3. Tour Observations</li> <li>4. Facility PREA reports</li> <li>5. Audit Schedule</li> </ol> <p>Findings (By Subsection):</p> <p>115.401 (a) The Wisconsin Department of Corrections has 40 facilities that are required to be audited under the PREA standards. The agency has a contract and audits one-third of its facilities each year.</p> <p>115.401 (h) The audit team was able to enter all areas within the facility without restriction.</p> <p>115.401 (i) The audit team received any relevant documents that were requested.</p> <p>115.401 (m) The audit team was provided with offices that allowed for private interviews.</p> <p>115.401 (n) Inmates were able to send confidential information to the auditor in the same way they would communicate with legal counsel.</p> <p>Corrective Action:</p> <p>None</p>
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<b>115.403</b>	<b>Audit contents and findings</b>
	<p data-bbox="305 157 906 189"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="305 231 557 262"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="305 304 1011 336">Evidence Reviewed (Documents, Interviews, Site Review):</p> <ol data-bbox="305 388 581 457" style="list-style-type: none"> <li>1. WIDOC website</li> <li>2. PREA Audit Reports</li> </ol> <p data-bbox="305 510 617 541">Findings (By Subsection):</p> <p data-bbox="305 594 1442 741">115.403 (f) The WIDOC website lists all the previous PREA audit reports that were conducted. They can be viewed by going to the following web link <a href="https://doc.wi.gov/Pages/AboutDOC/PrisonRapeEliminationAct.aspx">https://doc.wi.gov/Pages/AboutDOC/PrisonRapeEliminationAct.aspx</a>. It appears that all the reports were posted on its website well within the 90 days of issuance by the auditor.</p> <p data-bbox="305 793 519 825">Corrective Action:</p> <p data-bbox="305 877 370 909">None</p>