

PREA Agency Audit Report: Final

Name of Agency: Nevada Division of Child and Family Services

Facility Type: Juvenile

Date Interim Report Submitted: NA

Date Final Report Submitted: 06/20/2023

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input 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 type="checkbox"/>
Auditor Full Name as Signed: DeShane Reed	Date of Signature: 06/20/ 2023

AUDITOR INFORMATION	
Auditor name:	Reed, DeShane
Email:	drbconsultinggroup@gmail.com
Start Date of On-Site Audit:	
End Date of On-Site Audit:	

AGENCY INFORMATION	
Name of agency:	Nevada Division of Child and Family Services
Governing authority or parent agency (if applicable):	Nevada Department of Health and Human Services
Physical Address:	4126 Technology Way, 3rd Floor, Carson City, Nevada - 89706

Mailing Address:	
Telephone number:	7756684400

Agency Chief Executive Officer Information:	
Name:	
Email Address:	
Telephone Number:	

Agency-Wide PREA Coordinator Information			
Name:	Lori Kearse	Email Address:	lkearse@dcfs.nv.gov

Agency AUDIT FINDINGS	
Summary of Audit Findings	
<p>The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.</p> <p>Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.</p>	
Number of standards exceeded:	
0	
Number of standards met:	
8	
Number of standards not met:	
0	

Standards
<p>Auditor Overall Determination Definitions</p> <ul style="list-style-type: none"> • 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)
<p>Auditor Discussion Instructions</p> <p>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.</p>

115.311	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>This PREA Auditor reviewed pre-audit evidentiary documents uploaded via PREA’s Online Audit System (OAS), documents submitted through other electronic sources, conducted on-site interviews, as well as on-site document/file reviews and observations to determine compliance for Standard 115.311. Nevada Division of Child and Family Services (NV-DCFS) submitted their “Division of Child and Family Services-Juvenile Justice Services (DCFS-JJS) Statewide PREA Policy (#DCFS/JJS 300.09)” as evidence of compliance with PREA Standard 115.311. Excerpts from “DCFS-JJS Statewide PREA Policy” states, <i>“The Division of Child and Family Services (DCFS) has zero tolerance towards all forms of sexual abuse and sexual harassment of youth within a state facility. This includes sexual abuse and sexual harassment against youth by other youth, staff, volunteers, contractors, visitors, or interns as defined within the Department of Justice Prison Rape Elimination Act (PREA) Standards, 28 CFR Part 115. Such conduct is punishable by administrative or disciplinary sanctions and/or criminal prosecution... The Division shall: Employ an upper-level, agency-wide PREA Coordinator with sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA</i></p>

standards. The Facility shall: 1. Designate a PREA Compliance Manager with sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards. The PREA Compliance Manager may have other duties in addition to PREA." Additionally, Nevada Division of Child and Family Services (NV-DCFS) submitted their PREA Standard Operating Procedures (NV-DCFS-#300.09) as evidence of compliance with PREA Standard 115. 311. DCFS-JJS's Statewide PREA Policy (#DCFS/JJS 300.09) and NV-DCFS' Standard Operating Procedures (NV-DCFS-#300.09) has the necessary language to align with PREA Standard 115.311.

NV-DCFS' Organizational Chart also identified their PREA Coordinator who oversees the NV-DCFS' efforts to comply with PREA Standards in all their Juvenile Justice Services Facilities. Additionally, this PREA auditor interviewed NV-DCFS' Deputy Administrator of Juvenile Justice Services, who shared DCFS' commitment to PREA's efforts to prevent, detect and respond to sexual abuse and sexual harassment within all NV-DCFS juvenile facilities. Additionally, this PREA Auditor interviewed NV-DCFS Social Services Chief, who was serving as Interim PREA Coordinator. She shared the same commitment to PREA's efforts, as well as stated that she was supported by NV-DCFS Deputy Administrator of JJS and allotted enough time and authority to effectively engage in her role. While this auditor was conducting this onsite agency audit, NV-DCFS was actively in the process of hiring a new PREA Coordinator to oversee the agency's effort to remain in compliance with the PREA Standards. This was confirmed during this auditor's later interview NV-DCFS' Human Resources Analyst II.

This PREA auditor concludes that Nevada Division of Child and Family Services (NV-DCFS) is in compliance with PREA Standard 115.311.

115.312	Contracting with other entities for the confinement of residents
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>This PREA Auditor reviewed Nevada Division of Child and Family Services pre-audit evidentiary documents uploaded via PREA's Online Audit System (OAS), documents submitted through other electronic sources, conducted on-site interviews, as well as on-site document/file reviews and observations to determine compliance for Standard 115.312. Nevada Division of Child and Family Services (NV-DCFS) submitted their "Division of Child and Family Services-Juvenile Justice Services (DCFS-JJS) Statewide PREA Policy (#DCFS/JJS 300.09)" as evidence of compliance with PREA Standard 115.312. DCFS-JJS's Statewide PREA Policy (#DCFS/JJS 300.09) has the necessary language to align with PREA Standard 115.312</p> <p>Additionally, Nevada Division of Child and Family Services (NV-DCFS) submitted 3 executed "Residential and Facility Based Contracts, Service Agreements, and Interlocal Agreements" with providers who DCFC contracts with to house DCFS</p>

custodial youth. Each of these contracts contains a PREA addendum (Attachment #7) which states,

“Residential Contract Providers:

A. *If the contractor houses 50% or more juvenile justice involved youth in any one facility or location, per PREA Standard § 115.312, this signed addendum acknowledges you will: 1. Be PREA compliant and provide proof of this compliance via a PREA audit, completed within the last three (3) years, and performed by a Federal certified auditor, at the time of contract initiation; OR 2. Be actively working towards PREA compliance, with identified action plans and timelines, and obtain PREA compliance within 18 months of the date of the fully executed contract as demonstrated by a PREA audit performed by a Federal certified auditor.*

B. *Further, this signed addendum acknowledges you will: 1. Maintain PREA compliance as demonstrated by a PREA audit performed by a Federal certified auditor every three (3) years and allow compliance monitoring in non-audit years by a DCFS staff person, to ensure PREA compliance is being maintained. Compliance monitoring may include onsite visits, facility observations, interviewing of staff and youth, and reviewing of documents per Department of Justice guidance...*

Facility-Based Contract Providers:

A. *Per PREA Standard § 115.317 and DCFS Policy 300.09, this signed addendum acknowledges the following:*

1. *Individuals working on behalf of any contracted vendor who work in a juvenile correctional facility and have contact with youth shall undergo an FBI and State fingerprint-based background check and Child Abuse and Neglect (CAN) Registry Check before providing any facility-based services. The expense of the fingerprint-based background check is the responsibility of the contracted vendor. The Child Abuse and Neglect Registry Check is provided free of charge by DCFS.*

2. *Per Standard § 115.317 and DCFS Policy 300.09, the contracted vendor shall undergo an additional FBI and State fingerprint-based background check within 5 years of the original background check for each individual working on behalf of the contracted vendor who works in a juvenile correctional facility and has contact with youth.*

3. *Annually, per guidance within Standard § 115.317 and per DCFS Policy 300.09, each individual working on behalf of the contracted vendor who works in a juvenile correctional facility and has contact with youth shall sign a document attesting to the fact that they have not:*

a. *Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility or other institution, or have been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse, or have you been civilly or administratively adjudicated*

to have engaged in the activity described in any part of this question.

b. Been adjudicated as having engaged in any type of inmate Sexual Harassment, which includes as a staff member, volunteer, contractor or as any type of service provided coming in contact with an inmate in the facilities mentioned in Question 7.6.1.”

During this on-site agency audit, this auditor interviewed NV-DCFS' PREA Coordinator, who shared that any agency contracting with NV-DCFS to house NV-DCFS custodial youth, must adopt and be in compliance with PREA Standards. This auditor also interviewed NV-DCFS Contracts Management Analyst II, who manages contract interactions with entities and NV-DCFS. She shared that each Youth Parole contract for services and contracts for residential facilities with NV-DCFS, are reviewed by the NV-DCFS PREA Coordinator. The PREA Coordinator reviews the contract and its contents, then returns an email directing whether to add an **“PREA Addendum”** to the contract. If the contracting service doesn't require a PREA Addendum, the contractor must sign a **“PREA Acknowledgement Form”** when entering the specific NV-DCFS Managed/Contracted facility.

Finally, this requested the list of active contracts NV-DCFS. This auditor randomly selected 10 contracting entities, with a range of services contracts to residential contracting. There were 9 out of 10 contracts with a signed “PREA Addendum” attached. The 1 contract not signed was a contract for imaging services, whose office is in the community.

This PREA auditor concludes that Nevada Division of Child and Family Services (NV-DCFS) is in compliance with PREA Standard 115.312.

115.317	Hiring and promotion decisions
	Auditor Overall Determination: Meets Standard
	Auditor Discussion This PREA Auditor reviewed Nevada Division of Child and Family Services pre-audit evidentiary documents uploaded via PREA's Online Audit System (OAS), documents submitted through other electronic sources, conducted on-site interviews, as well as on-site document/file reviews and observations to determine compliance for Standard 115.317. Nevada Division of Child and Family Services (NV-DCFS) submitted their “Division of Child and Family Services-Juvenile Justice Services (DCFS-JJS) Statewide PREA Policy (#DCFS/JJS 300.09)” as evidence of compliance with PREA Standard 115.317. Excerpts from “DCFS-JJS Statewide PREA Policy” states, “All new hires and current staff being considered for promotion shall have a background investigation to include: 1. A criminal history background record check;

- 2.** A review of any child abuse registry maintained at the state or local level; and
- 3.** Make an effort to contact all prior institutional employers for information on substantiated allegations of sexual abuse or harassment or any resignation during a pending investigation of an allegation of sexual abuse or harassment.
- B.** The Division shall determine if any candidate, contractor, volunteer, or intern for hire or promotion has any allegations of sexual abuse, sexual harassment, or any violations of sexual misconduct prior to an offer of employment or promotion.
- C.** In addition to those within NRS 62B, the Division prohibits the hiring or promoting of anyone who may have contact with youth, or prohibit enlisting the services of any contractor or volunteer who may have contact with youth, who:
- 1.** Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997).
 - 2.** Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or
 - 3.** Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph B of this section.
- D.** If a background check reveals a criminal conviction, plea or verdict of guilty to a misdemeanor or felony, withheld judgment or a valid child or adult complaint, no disposition on file, or a conviction following a plea of “no contest”, the Division Administrator or designee will inform the individual of the findings.
- E.** The Division shall conduct criminal background checks of current employees, contractors, and volunteers who work within a facility settings every five years.
- F.** The Division shall ensure candidates and staff sign the DCFS HR PREA Questionnaire (Attachment T), which asks about previous sexual misconduct, upon the interview process for hire and promotion and annually thereafter, which shall be maintained in their permanent employee file. In addition, the Division shall ensure contractors and volunteers sign the DCFS HR PREA Questionnaire before contact with youth and annually thereafter.
- G.** Any candidate who has been found to have provided false information shall be subject to administrative action including termination.”

“DCFS-JJS Statewide PREA Policy (DCFS-JJS #300.09) has the necessary language to align with PREA Standard 115.317.

This auditor interviewed DCFS Human Resource Analyst II. She confirmed that she conducts pre-hire state and federal background checks, as well as CANS checks on all prospective employees of DCFS. NV-DCFS’ HR Analyst II also shared that background checks and CANS are conducted on all staff “no matter what.” This applies to contractors as well. Finally, NV-DCFS’ HR Analyst II shared that DCFS

	<p>considers omission of pertinent information related to sexual misconduct ground for no hire or termination. Finally, she shared that PREA-related information with other hiring entities (upon request) who may be seeking to hire former DCFS employees.</p> <p>Additionally, DCFS-JJS submitted their “NV-DCFS Master Human Resource Spreadsheet” which included: All active staff names, their hire dates, any status change dates, last dates seen for prints, Child Abuse and Neglect (CANS) check dates/results, Federal Background Check (FBC) dates, State Background Check (SBC) dates, last fingerprints completed (within 5 years), and the last PREA Acknowledgement. This auditor randomly selected 17 employee names from the “NV-DCFS Master Human Resource Spreadsheet,” and asked to review their files. Each selected staff’s file had their FBC, SBC, fingerprints checks, CANS checks within. Additionally, the selected files were up to date with their 5-year background checks upon promotion. This PREA auditor also requested a random selection of 8 contractual staff and volunteer files to review for background checks, CANS, PREA-Related acknowledgements. Each selected contractor’s/volunteer’s file had their background, fingerprints checks, and CANS checks within.</p> <p>This PREA auditor concludes that Nevada Division of Child and Family Services (NV-DCFS) is in compliance with PREA Standard 115.317.</p>
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115.366	Preservation of ability to protect residents from contact with abusers
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>This PREA Auditor reviewed Nevada Division of Child and Family Services pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.366. This PREA auditor interviewed NV-DCFS’ Deputy Administrator of Juvenile Justice Services (JJS) and NV-DCFS Social Services Chief, who was serving as Interim PREA Coordinator. Both shared, <i>“The 2019 Nevada Legislature passed Senate Bill 135, which authorizes collective bargaining for certain state employees. The AFSCME Union has begun collective bargaining.”</i> They further shared that the AFSCME Union’s Collective Bargaining Agreement (CBA) with NV-DCFS and their employees who participate, do not limit NV-DCFS juvenile facilities from “the ability to remove alleged staff sexual abusers from contact with any residents pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted, as stated in PREA Standard 115.366. DCFS’ Social Services Chief/Interim PREA Coordinator also submitted the link to the AFSCME CBA: (https://hr.nv.gov/sections/LRU/Labor_relations_unit).</p> <p>During this PREA Auditor’s interview with NV-DCFS’ Human Resources Analyst II, she copied the AFSCME Union’s Collective Bargaining Agreement (CBA) with NV-DCFS.</p>

	<p>This auditor reviewed page #12 of the CBA (Management Rights), which states, <i>“Subject matters which are not within the scope of mandatory bargaining, and which are reserved to the Employer without negotiation include:</i></p> <p>a) <i>The right to hire, direct, assign, or transfer an employee, but excluding the right to assign or transfer an employee as a form of discipline.”</i></p> <p>This PREA auditor concludes that Nevada Division of Child and Family Services (NV-DCFS) is in compliance with PREA Standard 115.366.</p>
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115.387	Data collection
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>This PREA Auditor reviewed Nevada Division of Child and Family Services pre-audit evidentiary documents uploaded via PREA’s Online Audit System (OAS), documents submitted through other electronic sources, conducted on-site interviews, as well as on-site document/file reviews and observations to determine compliance for Standard 115.387. Nevada Division of Child and Family Services (NV-DCFS) submitted their “Division of Child and Family Services-Juvenile Justice Services (DCFS-JJS) Statewide PREA Policy (#DCFS/JJS 300.09)” as evidence of compliance with PREA Standard 115.387. Excerpts from “DCFS-JJS Statewide PREA Policy” states, <i>“The PREA Coordinator shall:</i></p> <p>a. <i>Review, analyze, and use all sexual abuse and harassment data, including incident based and aggregated data, to assess and improve the effectiveness of the facility sexual abuse and harassment prevention, detection, response, practices, policies, and training.</i></p> <p>b. <i>Gather and maintain accurate and uniform data from the facilities and required contracted entities on a quarterly basis for federal reporting requirements, which includes an annual state report which shall be posted on the Division’s Website.</i></p> <p>c. <i>Track, trend, analyze, and present aggregate data to any board or commission as required.</i></p> <p>d. <i>Ensure each employee and youth have received required PREA training.</i></p> <p>e. <i>Keep all data in a secure and confidential manner.”</i></p> <p>NV-DCFS-JJS policy contains the necessary language to align with PREA Standard 115.387, regarding NV-DCFS’s ongoing collection of uniformed data regarding allegations of sexual abuse. This auditor interviewed NV-DCFS Social Services Chief (current interim PREA Coordinator). She shared the process for collecting and aggregating monthly data on sexual abuse/sexual harassments incidents and</p>

	<p>investigations. She receives this information from each NV-DCFS juvenile facility's PREA Compliance Manager. This PREA also auditor interviewed NV-DCFS' IT Technician IV staff, who is 1 of 3 members of NV-DCFS' IT team, who are the gatekeepers of electronic information being reviewed and approved to be disseminated to the public. While onsite at NV-DCFS headquarters, NV-DCFS' IT Technician IV walked this auditor through the process of receiving annual reports, the protocol requirements prior to annual reports are "loaded for approval" "staged" then "goes live" onto NV-DCFS' website for public viewing. Finally, NV-DCFS IT Technician demonstrated the redacted Personal Identifiers from the reports, the safe and confidential nature of each protocol (only 3 personnel staff have access to the "DCFS Data Network Folder"), and the 10-year electronics storage file within the data network. Finally, this PREA Auditor was able to review NV-DCFS 2020, 2021, and 2022 annual reports on their website.</p> <p>This PREA auditor concludes Nevada Division of Child and Family Services (NV-DCFS) is in compliance with PREA Standard 115.387.</p>
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115.388	Data review for corrective action
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>This PREA Auditor reviewed Nevada Division of Child and Family Services pre-audit evidentiary documents uploaded via PREA's Online Audit System (OAS), documents submitted through other electronic sources, conducted on-site interviews, as well as on-site document/file reviews and observations to determine compliance for Standard 115.388. Nevada Division of Child and Family Services (NV-DCFS) submitted their "Division of Child and Family Services-Juvenile Justice Services (DCFS-JJS) Statewide PREA Policy (#DCFS/JJS 300.09)" as evidence of compliance with PREA Standard 115.388. Excerpts from "DCFS-JJS Statewide PREA Policy" states, <i>"The PREA Coordinator shall:</i></p> <ul style="list-style-type: none"> <i>a. Review, analyze, and use all sexual abuse and harassment data, including incident based and aggregated data, to assess and improve the effectiveness of the facility sexual abuse and harassment prevention, detection, response, practices, policies, and training.</i> <i>b. Gather and maintain accurate and uniform data from the facilities and required contracted entities on a quarterly basis for federal reporting requirements, which includes an annual state report which shall be posted on the Division's Website.</i> <i>c. Track, trend, analyze, and present aggregate data to any board or commission as required.</i> <i>d. Ensure each employee and youth have received required PREA training.</i>

	<p>e. <i>Keep all data in a secure and confidential manner.”</i></p> <p>NV-DCFS-JJS policy contains the necessary language to align with PREA Standard 115.388, regarding NV-DCFS’s data review and corrective actions. This auditor interviewed NV-DCFS Social Services Chief (current interim PREA Coordinator). She shared the process for collecting and aggregating monthly data on sexual abuse/sexual harassments incidents and investigations. She receives this information from each NV-DCFS juvenile facility’s PREA Compliance Manager. This PREA also auditor interviewed NV-DCFS’ IT Technician IV staff, who is 1 of 3 members of NV-DCFS’ IT team, who are the gatekeepers of electronic information being reviewed and approved to be disseminated to the public. While onsite at NV-DCFS headquarters, NV-DCFS’ IT Technician IV walked this auditor through the process of receiving annual reports, the protocol requirements prior to annual reports are “loaded for approval” “staged” then “goes live” onto NV-DCFS’ website for public viewing. Finally, NV-DCFS IT Technician demonstrated the redacted Personal Identifiers from the reports, the safe and confidential nature of each protocol (only 3 personnel staff have access to the “DCFS Data Network Folder”), and the 10-year electronics storage file within the data network. Finally, this PREA Auditor was able to review NV-DCFS 2020, 2021, and 2022 annual reports on their website.</p> <p>This PREA auditor concludes Nevada Division of Child and Family Services (NV-DCFS) is in compliance with PREA Standard 115.388.</p>
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115.389	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>This PREA Auditor reviewed Nevada Division of Child and Family Services pre-audit evidentiary documents uploaded via PREA’s Online Audit System (OAS), documents submitted through other electronic sources, conducted on-site interviews, as well as on-site document/file reviews and observations to determine compliance for Standard 115.389. Nevada Division of Child and Family Services (NV-DCFS) submitted their “Division of Child and Family Services-Juvenile Justice Services (DCFS-JJS) Statewide PREA Policy (#DCFS/JJS 300.09)” as evidence of compliance with PREA Standard 115.389. Excerpts from “DCFS-JJS Statewide PREA Policy” states, <i>“The PREA Coordinator shall:</i></p> <p>a. <i>Review, analyze, and use all sexual abuse and harassment data, including incident based and aggregated data, to assess and improve the effectiveness of the facility sexual abuse and harassment prevention, detection, response, practices, policies, and training.</i></p> <p>b. <i>Gather and maintain accurate and uniform data from the facilities and required contracted entities on a quarterly basis for federal reporting requirements, which includes an annual state report which shall be posted on the Division’s</i></p>

	<p><i>Website.</i></p> <p>c. <i>Track, trend, analyze, and present aggregate data to any board or commission as required.</i></p> <p>d. <i>Ensure each employee and youth have received required PREA training.</i></p> <p>e. <i>Keep all data in a secure and confidential manner.”</i></p> <p>NV-DCFS-JJS policy contains the necessary language to align with PREA Standard 115.389, regarding NV-DCFS’s data storage, publication, and destruction. This auditor interviewed NV-DCFS Social Services Chief (current interim PREA Coordinator). She shared the process for collecting and aggregating monthly data on sexual abuse/sexual harassments incidents and investigations. She receives this information from each NV-DCFS juvenile facility’s PREA Compliance Manager. This PREA also auditor interviewed NV-DCFS’ IT Technician IV staff, who is 1 of 3 members of NV-DCFS’ IT team, who are the gatekeepers of electronic information being reviewed and approved to be disseminated to the public. While onsite at NV-DCFS headquarters, NV-DCFS’ IT Technician IV walked this auditor through the process of receiving annual reports, the protocol requirements prior to annual reports are “loaded for approval” “staged” then “goes live” onto NV-DCFS’ website for public viewing. Finally, NV-DCFS IT Technician demonstrated the redacted Personal Identifiers from the reports, the safe and confidential nature of each protocol (only 3 personnel staff have access to the “DCFS Data Network Folder”), and the 10-year electronics storage file within the data network. Finally, this PREA Auditor was able to review NV-DCFS 2020, 2021, and 2022 annual reports on their website.</p> <p>This PREA auditor concludes Nevada Division of Child and Family Services (NV-DCFS) is in compliance with PREA Standard 115.389.</p>
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115.401	Frequency and scope of audits
	Auditor Overall Determination:
	Auditor Discussion
	<p>This PREA Auditor reviewed Nevada Division of Child and Family Services pre-audit evidentiary documents uploaded via PREA’s Online Audit System (OAS), documents submitted through other electronic sources, conducted on-site interviews, as well as on-site document/file reviews and observations to determine compliance for Standard 115.401. Nevada Division of Child and Family Services (NV-DCFS) submitted their “Division of Child and Family Services-Juvenile Justice Services (DCFS-JJS) Statewide PREA Policy (#DCFS/JJS 300.09)” as evidence of compliance with PREA Standard 115.401. Excerpts from “<i>DCFS-JJS Statewide PREA Policy</i>” states, “<i>The Division shall ensure the following are posted on the Division’s website:</i></p>

	<p>1. <i>PREA Policy;</i></p> <p>2. <i>Annual PREA report, for a minimum of three years, to include aggregate data for all DCFS facilities;</i></p> <p>3. <i>Federal PREA audits conducted within the agency and within state contracted youth facilities, for a minimum of three years.</i></p> <p>B. <i>Confidential and personal information shall be redacted from data before being made available to the public.</i></p> <p>C. <i>The Division shall contract with a certified PREA auditor to conduct a federal PREA audit on one facility per year, or one-third of all facilities, each 3-year audit cycle."</i></p> <p>This PREA Auditor interviewed NV-DCFS' Deputy Administrator of Juvenile Justice Services. She oversees all NV-DCFS juvenile facilities serving juvenile justice youth. She stated that she understands that NV-DCFS are required to have a PREA audit every three years, after the conclusion of each of its PREA Audits. She also was in the process of hiring another PREA Coordinator since the previous PREA Coordinator of 7 years, accepted employment with another agency. The auditor had access to, and the ability to observe, all areas of this audited agency. The auditor was permitted to request and receive copies of any relevant documents. The auditor was permitted to conduct private as necessitated.</p> <p>This PREA auditor concludes Nevada Division of Child and Family Services (NV-DCFS) is in compliance with PREA Standard 115.401.</p>
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115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>This PREA Auditor reviewed Nevada Division of Child and Family Services pre-audit evidentiary documents uploaded via PREA's Online Audit System (OAS), documents submitted through other electronic sources, conducted on-site interviews, as well as on-site document/file reviews and observations to determine compliance for Standard 115.403. Nevada Division of Child and Family Services (NV-DCFS) submitted their "Division of Child and Family Services-Juvenile Justice Services (DCFS-JJS) Statewide PREA Policy (#DCFS/JJS 300.09)" as evidence of compliance with PREA Standard 115.403. Excerpts from "DCFS-JJS Statewide PREA Policy" states, "The Division shall ensure the following are posted on the Division's website:</p> <p>1. <i>PREA Policy;</i></p> <p>2. <i>Annual PREA report, for a minimum of three years, to include aggregate data</i></p>

for all DCFS facilities;

3. *Federal PREA audits conducted within the agency and within state contracted youth facilities, for a minimum of three years.*

B. *Confidential and personal information shall be redacted from data before being made available to the public.*

C. *The Division shall contract with a certified PREA auditor to conduct a federal PREA audit on one facility per year, or one-third of all facilities, each 3-year audit cycle."*

This auditor interviewed NV-DCFS Social Services Chief (current interim PREA Coordinator). She shared the process for collecting and aggregating monthly data on sexual abuse/sexual harassments incidents and investigations. She receives this information from each NV-DCFS juvenile facility's PREA Compliance Manager. This PREA also auditor interviewed NV-DCFS' IT Technician IV staff, who is 1 of 3 members of NV-DCFS' IT team, who are the gatekeepers of electronic information being reviewed and approved to be disseminated to the public. While onsite at NV-DCFS headquarters, NV-DCFS' IT Technician IV walked this auditor through the process of receiving annual reports, the protocol requirements prior to annual reports are "loaded for approval" "staged" then "goes live" onto NV-DCFS' website for public viewing. Finally, NV-DCFS IT Technician demonstrated the redacted Personal Identifiers from the reports, the safe and confidential nature of each protocol (only 3 personnel staff have access to the "DCFS Data Network Folder"), and the 10-year electronics storage file within the data network. Finally, this PREA Auditor was able to review NV-DCFS 2020, 2021, and 2022 annual reports on their website.

This PREA auditor concludes Nevada Division of Child and Family Services (NV-DCFS) is in compliance with PREA Standard 115.403.

Appendix: Provision Findings		
115.311 (b)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	Has the agency employed or designated an agency-wide PREA Coordinator?	yes
	Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
	Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities?	yes
115.312 (a)	Contracting with other entities for the confinement of residents	
	If this agency is public and it contracts for the confinement of its residents with private agencies or other entities including other government agencies, has the agency included the entity's obligation to adopt and comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of residents.)	yes
115.312 (b)	Contracting with other entities for the confinement of residents	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of residents OR the response to 115.312(a)-1 is "NO".)	yes
115.317 (a)	Hiring and promotion decisions	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with residents who: Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with residents who: Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes

	Does the agency prohibit the hiring or promotion of anyone who may have contact with residents who: Has been civilly or administratively adjudicated to have engaged in the activity described in the bullet immediately above?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with residents who: Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with residents who: Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with residents who: Has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
115.317 (b)	Hiring and promotion decisions	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with residents?	yes
115.317 (c)	Hiring and promotion decisions	
	Before hiring new employees who may have contact with residents, does the agency: Perform a criminal background records check?	yes
	Before hiring new employees who may have contact with residents, does the agency: Consult any child abuse registry maintained by the State or locality in which the employee would work?	yes
	Before hiring new employees who may have contact with residents, does the agency: Consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes

115.317 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with residents?	yes
	Does the agency consult applicable child abuse registries before enlisting the services of any contractor who may have contact with residents?	yes
115.317 (e)	Hiring and promotion decisions	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with residents or have in place a system for otherwise capturing such information for current employees?	yes
115.317 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with residents directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with residents directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
115.317 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
115.317 (h)	Hiring and promotion decisions	
	Unless prohibited by law, does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an	yes

	institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	
115.366 (a)	Preservation of ability to protect residents from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with any residents pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes
115.387 (a)	Data collection	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
115.387 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
115.387 (c)	Data collection	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes
115.387 (d)	Data collection	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
115.387 (e)	Data collection	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the	yes

	confinement of its residents? (N/A if agency does not contract for the confinement of its residents.)	
115.387 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes
115.388 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.387 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.387 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.387 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes
115.388 (b)	Data review for corrective action	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
115.388 (c)	Data review for corrective action	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes
115.388 (d)	Data review for corrective action	
	Does the agency indicate the nature of the material redacted	yes

	where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	
115.389 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.387 are securely retained?	yes
115.389 (b)	Data storage, publication, and destruction	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
115.389 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
115.389 (d)	Data storage, publication, and destruction	
	Does the agency maintain sexual abuse data collected pursuant to § 115.387 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
115.401 (a)	Frequency and scope of audits	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	yes
115.401 (b)	Frequency and scope of audits	
	Is this the first year of the current audit cycle? (Note: a "no" response does not impact overall compliance with this standard.)	yes
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this	na

	is not the second year of the current audit cycle.)	
	If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is not the third year of the current audit cycle.)	na
115.403 (f)	Audit contents and findings	
	The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or, in the case of single facility agencies, there has never been a Final Audit Report issued.)	yes