

PREA AUDIT: AUDITOR'S SUMMARY REPORT

ADULT PRISONS & JAILS

NATIONAL
PREA
RESOURCE
CENTER



BJA
Bureau of Justice Assistance
U.S. Department of Justice

Name of facility:	John B. Connally Jr. Unit, TDCJ		
Physical address:	899 FM 632, Kenedy, TX 78119		
Date report submitted:	February 20, 2015		
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Email:	JECJRBOY@aol.com		
Telephone number:	352-538-2636		
Date of facility visit:	January 25-28, 2015		
Facility mailing address: <i>(if different from above)</i>			
Telephone number:	830-583-4003		
The facility is:	<input type="checkbox"/> Military	<input type="checkbox"/> County	Federal
	<input type="checkbox"/> Private for profit	<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> State
	<input type="checkbox"/> Private not for profit		
Facility Type:	<input type="checkbox"/> Jail	<input checked="" type="checkbox"/> Prison	
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Governing authority or parent agency: <i>(if applicable)</i>	State of Texas		
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AUDIT FINDINGS

NARRATIVE:

A Prison Rape Elimination Act (PREA) audit was scheduled by the American Correctional Association, (ACA), in conjunction with the Texas Department of Criminal Justice (TDCJ) for the John B. Connally Jr. Unit, tour and Unit visit, beginning January 25 – 28, 2015. Initial notification of PREA certified auditors, Maggie Capel and James Curington (lead), was made in December, 2014 by the ACA indicating the appointment to audit and pertinent information to be forwarded by the TDCJ.

The audit process began with contacts: the TDCJ Office of Administrative Review and Risk Management, Ms. Shannon Kersh; the ACA Office, Mr. Ben Shelor; the Office of the Inspector General (OIG), Ms. Cassandra McGilbra, PREA; PREA auditors Maggie Capel, James Curington; and the Warden’s office of the John B. Connally Jr. Unit, Jesus Manuel Peralta, Warden. Travel, pre-audit information, and arrival schedules were reviewed telephonically with the Warden and Administrative Assistant, Raquel Cordaway. A PREA schedule was also developed for the tour/visit and given to staff at the facility. A PREA Pre-Audit Reporting Form was completed by the auditors and sent to the PREA Resource Center (PRC) via email auditreporting@prearesourcecenter.org. Notices were posted and the process began.

Facility and agency information was forwarded by Ms. Shannon Kersh via a USB thumb drive mailed to the audit team. The thumb drive information was divided into three major sections: 1) Master Administrative Folder; 2) Unit Folder; and 3) Pre-audit Questionnaire. A wealth of material was included in these three sections. The Master Administrative Folder addressed all 43 standards and several other helpful items and points such as personnel policy, health appraisal information, question and answer interviews, etc. The Unit Folder contained 73 items including a unit schematic of the facility and buildings, 56 pages of information concerning video cameras and locations, the ACA report of certification previously completed for the 2012 ACA Audit, and Unit population facts including transgender and sexual victimization lists. The third section, the 27 page Pre-audit Questionnaire addressed agency information regarding PREA compliance, Unit information regarding PREA compliance, and the 43 PREA standards.

Special thanks is extended to the Connally Unit staff for completion of the Pre-audit Questionnaire and the Unit Information. Also special thanks to Central Office staff for their supplemental and organizational information within the Master Administrative Folder.

The PREA Resource Audit Instrument for Adult Prisons and Jails furnished by the National PREA Resource Center was used for this audit. To summarize, there are 7 sections, A through G comprised of A) the Pre-audit Questionnaire, B) the Auditor Compliance Tool, C) the Instructions for the PREA Audit

Tour, D) the Interview Protocols, E) the Auditor's Summary Report, F) the Process Map, and G) the Checklist of Documentation.

Following the protocols, including the posting of notices and making contacts, the auditors began reviewing the materials forwarded in the weeks prior. The auditors, beginning with the questionnaire, began review of every item on the thumb drive. The Pre-audit Questionnaire: Adult Prisons and Jails was initially completed November 18, 2014 and revised January 26, 2015. During the audit; making minor corrections, completions and revisions of the Questionnaire was done by Noelda Martinez, Regional PREA Manager and Roy Benavides, Connally Unit PREA Manager.

Sunday, January 25, the auditors arrived in San Antonio, Texas. That Sunday afternoon, the lead auditor, James Curington and the ACA chairperson met for an afternoon luncheon with the Warden, Assistant Wardens and key staff to discuss the complexities and direction for accomplishing the agenda that had been finalized and presented earlier. This informal discussion and time with key staff and the Wardens helped in getting an overview and picture of the John B. Connally Jr. Unit and the Unit's emphasis and commitment to PREA compliance.

After the luncheon the auditors were driven about an hour and a half southeast of San Antonio and then escorted to a local hotel in Kenedy, Texas, from which they commuted each day to the institution. That evening the lead auditor was escorted by the Assistant Warden to the local hospital and the downtown area of Kenedy, Texas.

Monday, January 26, the auditors agenda called for 7 a.m. pickup at the hotel and a perimeter tour of the facility and its' grounds. After a visual review of the facility, the audit teams headed to the front gate for security identifications and security precautions at the entrance to the John B. Connally Jr. Unit. From the front entrance, the audit teams proceeded to the Warden's office and conference room, building 1, where they met with key staff and then headed to the Chapel, building 20, for introductions to agency and Unit representatives. At this large group meeting in the Chapel, each auditor introduced themselves, briefly discussed the agenda and thanked all there for their hospitality and preparation for the PREA and ACA audits. The following were in attendance:

Sue Perkins	Head of Disciplinary
Jennifer Williams	Head of Human Resources
Cherill Merrell	Head of the Mailroom
Peggy Savage	Head of Inmate Records
Betty Escobedo	Use of Force Clerk
Kimberly Castaneda	Administrative Segregation Major Secretary
Shelly Grayson	Administrative Segregation Property Officer
Jessica Leyva	Field Force
Cierra Herrera	Human Resources Clerk
Raquel Sevilla Cordaway	Warden Secretary
Martina Cline	Head of Commissary

Linda Garcia	General Population Property Office
Roy Benavides	Safe Prisons Coordinator
Juliet Martinez	Safe Prisons Officer
Juan Garcia	Assistant Warden
Lincoln Clark	Assistant Warden
Joe Grimes	Regional Director
Manuel Peralta	Senior Warden
Noelda Martinez	Regional Safe Prisons Coordinator
Rene Martinez	Head of Risk Management
John Cirone	General Population Major
John Mayer	Safe Prisons Sergeant (McConnell Unit)
Linda Perez	Safe Prisons (Stevenson Unit)
Miroslava Portugal	Operational Review Sergeant
Richard Zander	Armory
Belinda Cruz	Re-entry
Daniel Munos	Lieutenant of Corrections
Savas Jaramillo	Supply Clerk
Russell Briley	Chaplain
Patricia Rochester	Surveillance Sergeant
Tina Malcher	Head of Supply
Lorraine Salas	Grievance Investigator
Patricia Chapa	Assistant Regional Director
Emil Garza	Assistant Regional Director
Sylvia Cortez	Chief of Classification
Cheryl Edmondson	Key Control
Kelly Kotzur	Captain of Food Service
Donnie Todd	Captain of Corrections
Debra Gloor	Head of Medical
Ann Warwas	Principal

Kevin Malcher	Laundry Manager III
Scott Nichols	Head of Maintenance
Melinda Acheson	Regional Monitoring and Standards Coordinator
Willie Jarrett	Region I Director of Operations

After the introductions and large group meeting, the ACA team and the PREA audit team began a joint institutional tour with each member having their own staff recorder and the Warden leading the tour route for both groups. Thus leaving the Chapel and returning to the Administration Building, the tour of the John B. Connally Jr. Unit proceeded as follows:

1 building - Administration with the numerous offices including Human Resources, Inmate Records, Use of Force, Mailroom, Grievance, Classification, Disciplinary, Risk Management, Case Manager, Investigators, Safe Prisons/PREA, and Security Threat Group (STG)

2 building - Commissary

3 building - Inmate housing general population cells and pods

4 building - Inmate housing general population cells and pods

19 building - Dorm housing

14 building - Maintenance

16 building - Back gate

5 building - Vocational

15 building - Central plan/Boiler room

6 building - Kitchen/Dining/Laundry/Medical

7 building - Inmate housing

8 building (toured Tuesday) - Inmate housing

10 building - Education/General Library/Law Library/Medical Infirmary and Dental

12 building - Administrative Segregation

11 building - Solitary

The PREA team then returned to 1 building with follow-up compound visits on Tuesday and Wednesday.

The escorted tour, the morning perimeter tour and follow up visits during the next two days gave access and overview to the Connally Unit. The auditors' mindset was to observe all areas, and especially those areas of the facility that must be observed carefully in order to verify compliance with the standards. Attention was paid to how well the inmates were supervised, monitoring technologies used, notice of blind spots, and other indicators that may be of concern for safety and security of the inmate population.

Monday afternoon the two PREA auditors moved to two offices in the Administrative Complex within building 1. At this time a review of the inmate population was made and random inmates were selected from each housing unit for interview by the auditors. Staff interviews were also set up with the selection of random staff from each shift, specialized staff to include intermediate or higher-level staff, medical and mental health staff, administrative staff, intake staff, investigative staff, staff that performs screening for risk of victimization and abusiveness, staff who supervise inmates in segregated housing, incident review team members, staff charged with monitoring retaliation, volunteers and contractors, and others designated by the interview protocols. The two PREA auditors proceeded with the interviews. The auditors left the facility at approximately 7 p.m. and continued to review and discuss operations of the Connally Unit that evening.

The following day, Tuesday, January 27, the auditors were picked up and escorted from the hotel at 4:30 a.m. Interviews continued with the 6 p.m. to 6 a.m. staff as well as inmate interviews. In addition to interviews, there were revisits to the facility and Special Housing Units (SHU) and reviews of the PREA files. There were discussions concerning privacy issues, intake, and security operations in addition to the specific PREA materials for the 43 standards. The auditors were given access to policies, procedures, and videos all addressing the operations and PREA compliance at the Connally Unit. The two auditors spent Tuesday interviewing and reviewing the materials presented, and materials contained and outlined in each of the PREA individual folders assessing each PREA standard. At the end of the day the auditors had not encountered any issues that would fail to meet standards. Discussions were still taking place concerning vacancies and privacy, but clearly staff at the Connally Unit had worked hard with the Regional and Central Office staff to make this facility PREA compliant.

The auditors exited the facility at approximately 6:30 p.m. and attended a "Texas barbecue". This dinner, again, afforded the auditors an opportunity to discuss PREA standards and review the operation of the facility within the community as a whole. At the dinner, local officials from the community attended along with staff, volunteers and local law enforcement. Later that evening, the auditors returned to the institution and the main conference room to review files and continued to work until about 10 p.m.

The PREA auditors, James Curington and Maggie Capel, began Wednesday morning, January 28 at approximately 8 a.m. with revisits to the institutional compound, interviews of staff and inmates and a summary review of screening materials, especially intake documents, inmate and staff files as appropriate, and the 43 PREA standards. There were 35 formal staff interviews and 40 inmate formal interviews. Additionally, there were many more informal staff and inmate conversations, visits, and interviews. The PREA audit team completed this site visit and formal and informal interview process of staff and inmates Wednesday at 1:00 p.m.

There is no formal exit process however, there was an ACA audit closeout at 11:00 a.m. which the PREA auditors attended. The ACA auditors were recommending re-accreditation to the ACA Standards Commission during their closeout session.

PREA auditors met with the Warden after the closeout session and indicated that there was only the staff vacancy issue to be reviewed. A supplemental enhancement statement, a recruitment action outline and a plan was presented to the auditors, was later further reviewed by the auditors, and accepted by the auditors. It was explained, there were no non-compliant PREA standards and that our methodology was the Audit Tool and that the basis of our conclusions for each standard and standard provisions were met. The Auditor's Interim Report would be completed and the interim report would be the final report. This interim/final report would be processed in the next 30 days. Finally, for this

narrative, both PREA auditors were duly impressed with the cleanliness and sanitation of the Unit and the Warden's leadership. Also impressive was the staff's commitment, through (up-and-down) the chain of command from Regional Director and Warden of the facility, to all staff, volunteers, and others associated with the John B. Connally Jr. Unit.

DESCRIPTION OF FACILITY CHARACTERISTICS:

The John B. Connally Jr. Unit of the Texas Department of Criminal Justice (TDCJ) is located in Kenedy, Texas. The facility itself is two miles south of Kenedy on Highway 181 in Karnes County, about 70 miles southeast of San Antonio. This facility is a large male, maximum-security unit housing a maximum of 2848 inmates, current population is less due to staffing problems (one dorm is closed), with a current population of 2470. The compound is a polygon (square-ish/trapezoidal) of about 90 acres within two, 12 foot high chain-link fences secured with razor ribbon. The perimeter/circumference is patrolled during the evening, night hours, and busy recreational times. The Connally Unit sits on about 820 acres of land in semi-arid South Texas and was named after Gov. John B. Connally Jr, who served three terms as governor, and died June 15, 1993.

The Connally Unit was officially dedicated in July 1995. Construction commenced in May 1994. It is a "2250" proto-typical unit. There are 20 buildings within the double fenced compound. The largest building is building 12 with over 500 single cells for administrative segregation/single cell housing. Building 6 is another very large building housing the kitchen, dining, laundry and medical. Buildings 5 and 10 contain vocational and educational/library facilities. Buildings 3, 4, 7 and 8 are four general population dorms with 432 bunks per dorm. Buildings 18 and 19 are dorm housing (building 18, inmate dorm housing is closed). There is an Administrative building (1), Chapel building (20), and Maintenance building (14). As one drives up, most notable is the chain-link fencing with razor ribbon and the three, 27 foot high security towers.

Custody levels of offenders range, G1, G2, G3, G4, G5, and Administrative Segregation. These custody levels run from the minimum G1 to the maximum security G5. Operations at the facility include agricultural contract grazing, security forces, security pack canines, unit garden, unit maintenance services, operational support, including food service, grounds service, field force, commissary, laundry, education, health services, recreation, and janitorial. Program operations include educational programs, literacy, adult basic education/GED, changes, pre-release, cognitive intervention, career and technology programs, vocational trades, community work projects, faith-based dormitories, education reentry planning, chaplaincy services, crime stoppers, goat kids initiative, and volunteer initiatives such as, education, employment/job skills, substance abuse education, support groups, mentoring, life skills and religious/faith-based studies and activities. Faith-based activities were especially impressive and offer the inmate population activities and programs helpful not only in long-term rehabilitation, but in the day to day activities at the Unit.

The medical capabilities at the Connally Unit are managed by the University of Texas Medical Branch, (UTMB). It includes ambulatory, medical, dental, and mental health services. Medical care is available 24 hours a day, seven days a week with a 17 inpatient bed infirmary, including 13 assisted-living beds and 2 health observation rooms. Telemedicine medicine and digital medical services are available. All services are on a single level, including chronic care clinics and CPAP accommodating housing. The emergency medical community hospital is Otto Kaiser Memorial Hospital, Kenedy, Texas. The forensic hospitals used, with the capability of accompanying SAFE/SANE staff, are: Citizens Hospital, Victoria,

Texas; Methodist Hospital, San Antonio, Texas; or Guadalupe Regional Hospital, Seguin, Texas (hospital selection depending on staffing and availability).

The PREA audit team was extended a magazine style booklet on the John B. Connally Jr. Unit which contained a wealth of information for team members. The title of the booklet was "Think Strategically, Think Leadership, Think John B. Connally Unit". Included in the booklet is the quoted mission statement:

"It shall be the mission of the TDCJ – CID John B Connally, Jr. Unit, to establish and maintain a level of institutional security that is congruent with public safety, as well as, the safety of its employees and offenders. A system of order shall be initiated and perpetuated in such a manner as to produce an atmosphere conducive to efficient work for all as well as an environment which provides for the rehabilitation of all offenders."

Facility demographics:

Designated facility capacity: 2848

Actual capacity: 1/26/2015, 2470

Age range of population: 18 to 65 (age of majority is 18, there are no offenders under age 18)

Average length of stay: 15 years, 0 months

Security: minimum, medium, maximum (TDCJ grades, G1, G2, G3, G4, G5, ad seg)

Number of staff: 602 total; 461 security, 89 non-security, 7 Windham education school district, 45 University of Texas Medical Branch (UTMB)

The John B. Connally Unit is an ACA accredited, Adult Correctional Institution facility.

SUMMARY OF AUDIT FINDINGS:

Number of standards exceeded: 2

Number of standards met: 39

Number of standards not met: 0

Non-applicable: 2

Special note: At the end of this auditor's summary report is an auditor certification and signature page signed by the lead auditor. Additionally, this report will be sent to the PREA Resource Center with a PREA Post-audit Reporting Form.

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

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

The John B. Connally Jr. Unit was audited and reviewed for PREA compliance January 25-28, 2015. The Texas Department of Criminal Justice (TDCJ) has a Safe Prisons Policy which was developed to prevent, detect and respond to sexual abuse and sexual harassment. The policy includes definitions, sanctions, strategies and "zero tolerance". The policy was last revised in August 2014, and consists of approximately 40 pages. The Safe Prisons/PREA Plan specifically refers to this standard on pages 1 through 5 and 14 through 16. Moreover, a lengthy Safe Prisons/PREA Operations Manual (SPPOM) addresses 1) Administration, 2) Intervention, 3) Assessment and Screening, 4) Reporting/Receiving Allegations, 5) Investigation, 6) Training, 7) Grids, Codes, Files and Transfers, 8) Reporting and 9) 22 attachments. This manual and its contents are described as being "essential to the operation of this Safe Prisons/PREA Operations Program and shall be adhered to at all times to ensure continuity and professionalism throughout the system".

The agency has designated Mr. William Stephens, Director Correctional Institution's Division, as the agency wide PREA Coordinator. The interview with the Coordinator indicated that he has sufficient time to develop, implement and oversee the agency's efforts to comply with PREA standards. Organizational charts were reviewed.

The John B. Connally Jr. Unit has a PREA manager, Roy Benavides who has sufficient time to coordinate the Unit's efforts to comply with PREA and is so designated within the Unit's organizational structure.

The auditors were particularly impressed with the staff pocket handout addressing TDCJ's Mission Statement and its Zero Tolerance Policy for sexual assault/sexual abuse, including legislation adopted by the Texas Legislature concerning sexual abuse, such that any violation must be reported to the Unit Major or the Safe Prisons Program Manager and followed-up on the pocket card by information on the recognition of sexual assault/abuse red flags, and how to report to one supervisor.

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

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

TDCJ Administrative Directive, AD 02.46, Employees of Private Businesses and Governmental Agencies Contracting with the Texas Department of Criminal Justice, requires compliance with agency policy, and specifically with, the "zero tolerance" of sexual abuse and sexual harassment policy.

The Safe Prisons/PREA Plan details "shall be applicable to all individuals, including visitors and volunteers employed, or under contract with, or supervised by the TDCJ, including professional staff and any person who is involved directly or indirectly with the care and custody of offenders".

Contracts and examples of contracts were reviewed. The interview with the Agency Contract Manager was reviewed. Contract employees were interviewed and it was clear from this review and interviews with staff that "zero tolerance" is practice and in compliance with PREA law. This standard is substantiated. Contracts themselves contain PREA statement documents of compliance requirements.

§115.13 – Supervision and Monitoring

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

This standard requires that the facility operates with adequate staffing as outlined in the 11 steps of PREA Standard 115.13. During this audit process, particular attention was paid to the critical complement of security staff needed to operate the institution, the inmate population count, the morale of staff and inmates and the other various factors critical to supervision and monitoring. This facility has 181 positions vacant. That in itself gave the auditors concern and they required documentation of efforts being made to recruit and employ staff. The TDCJ is having problems with staffing in certain areas of Texas where the oil boom has enlisted/employed most all available help and workers, however with the slowdown presently noted, recruitment opportunities are more likely available for the Connally Unit. The TDCJ is also offering incentives such as a \$4000 signing bonus to help fill Correctional Officer positions. Special employment procedures have also been instituted without lowering the quality or standards expected of correctional staff. Overtime is being offered and paid to assist in meeting any day to day staffing shortage. All of this helps meet the requirement for supervision and monitoring. The institution has not fallen below its critical complement.

Intermediate level and higher-level staff conduct unannounced rounds, which helps ensure a monitoring and supervising presence on a daily basis. One bright point at the Connally Unit is the over 700 video cameras which assist in maintaining appropriate supervision and monitoring. They are using this technology to assure the supervision needed in every area of the institution where inmates are housed, assembled or have routine access.

Reasons for any deviation of the staffing plan were also reviewed by the auditor.

In the long run, this shortage will affect both inmate and staff morale. However, during the short term, overtime has helped with staff morale.

It was noted that in addition to medical transport, the Kitchen Department, and the Chain Officer (transport/transfer), recreation is also a problem for direct constant/consistent observation, limiting recreational opportunities for inmates. Inmates are aware of the staffing shortage and inmate morale is being somewhat affected due to lack of kitchen work opportunities, food preparation opportunities, and the limited recreational opportunities.

It was noted that several inmates have been transferred to the Connally Unit from other units due to staffing shortages at those institutions. Those shortages were even more significant than those at the Connally Unit.

The Administration at the Connally Unit is very involved and is working closely with the Regional Office and the Central Office in Huntsville to meet the demands of recruitment and adequate staffing.

The teamwork displayed by correctional officers/staff, the administration's involvement, and the video monitoring was paramount in approving this standard as meeting compliance.

§115.14 – Youthful Inmates

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

There are no inmates under the age of 18 at the John B. Connally Jr. Unit.

§115.15 – Limits to Cross-Gender Viewing and Searches

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

This Safe Prisons/PREA Operational Manual, SPPOM 02.05 and Administrative Directive, AD 03.22, page 2 and 3, both address cross-gender viewing and searches. Staff of the same gender shall conduct strip and visual body cavity searches, except in exigent circumstances.

There have been zero (0) cross gender, visual body cavity searches of inmates that did not involve exigent circumstances in the past 12 months.

The facility has no female inmates. Thus, there have been no cross-gender patdown searches of female inmates.

The facility has implemented policies and procedures that enable inmates to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their buttocks or genitalia, except in exigent circumstances. Additionally, policies and procedures require staff of the opposite gender to announce their presence when entering an inmate housing unit. Policies were reviewed and the announcements were made while on tour and observed by the auditors.

The facility is required to document all cross-gender strip searches and cross gender visual body cavity searches (again, Administrative Directive, 03.22, pages 2 and 3).

The PREA Plan prohibits searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status.

Random interviews with staff and inmates confirmed compliance with this PREA standard.

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

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

The TDCJ, through its correctional mental health policies and through Administrative Directives, AD 04.25 and AD 06.25, address interpreter services, American Sign Language services and offenders with special needs. The agency has established procedures to provide inmates with limited English proficiency an equal opportunity to participate in, and benefit from all aspects of the agency's efforts to prevent and respond to sexual abuse and sexual harassment.

During the tour, and from interviews with staff and inmates, it was clear that there were numerous bilingual and multilingual staff and inmates at this facility. There seemed to be no difficulty in communicating with inmates who were limited in English proficiency. Interviews confirmed this. The staff was readily available for any interpretation needed.

Agency policy prohibits the use of the inmate interpreters or other types of inmate assistants except in limited circumstances.

In the past 12 months, there have been zero (0) number of inmate interpreters used, and there has been no delay.

§115.17 – Hiring and Promotion Decisions

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

The Connally Unit follows the Texas Government Code and its Personnel Directives PD – 71, PD – 73, PD – 75, and PD – 27, in its hiring and promotion decisions. These policies were reviewed by the auditor. The agency prohibits hiring and promoting anyone who has contact with inmates who has engaged in sexual abuse in prison or was convicted of engaging in or attempting to engage in sexual activity facilitated by force in the community, or who has civilly or administratively been adjudicated to have engaged in sexual activity by force. The agency also requires consideration of any incidents of sexual harassment in determining whether to hire or promote someone.

Background checks are conducted on all newly hired staff (or serious applicants). There have been 208 background checks in the last 12 months.

Background checks are completed when enlisting the services of any contractor who has contact with inmates.

Routine criminal background checks are made at least every five years for current employees.

§115.18 – Upgrades to Facilities and Technology

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

There have been no substantial expansions or modifications of existing facilities since August 20, 2012.

The use of technology is very evident at the Connally Unit.

There are approximately 740 cameras at the Connally Unit. 117 cameras are exterior cameras of which 115 are digital stationary cameras and 2 are zoom pan tilt cameras. There are 623 interior cameras, all of which are digital stationary. Camera recordings are retained for 20 days at the servers. Surveillance of the cameras is maintained by the Sgt. Duty Post #12 Control. Four specific observation cameras can be accessed in Central Control, the Warden's office and the Majors office. This auditor felt that there may be incidental monitoring of some clothing

change activities, but it was in fact incidental and more importantly, some privacy is/was maintained (i.e. showers/showering).

The 33 page Video Monitoring Plan with physical plant locations for video was reviewed and was found very impressive.

§115.21 – Evidence Protocol and Forensic Medical Examinations

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

TDCJ is responsible for administrative and criminal sexual abuse investigations. The Safe Prison/PREA Operations Manual, SPP0M 05.01, assures investigators follow a uniform evidence protocol through the use of this operational memorandum and the Sexual Abuse Checklist.

Corrections Managed Healthcare Policy, CMHC G – 57.1 also stipulates the appropriate forensic medical examinations.

Emergency medical healthcare is provided by the Otto Kaiser Memorial Hospital in Kenedy, Texas.

Forensic medical exams are directed, by policy, to be at an outside hospital, maintaining SAFE or SANE staff. The institution calls ahead and checks at the following three facilities to make sure such staff is available: Citizens Hospital, Victoria Texas; Guadalupe Regional Medical Hospital, Seguin, Texas; or Methodist Hospital, San Antonio, Texas.

The facility has attempted to obtain community victim advocates from a local rape crisis center however, at this time it has been unsuccessful. The Connally Unit provides victim advocate services by qualified and trained staff. The Offender Victim Representative (OVR) is designated, by policy, as a mental health practitioner, sociologist or chaplain. At the Connally Unit, the Sociologist Unit Manager and a Chaplain are used as the OVR. The Chaplain was interviewed at length and appropriate services are extended.

§115.22 – Policies to Ensure Referrals of Allegations for Investigations

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

Policies to ensure referrals of allegations for investigation have been established by the TDCJ. First and foremost, the TDCJ is especially interested in knowing what goes on at each of their facilities. Thus, through Administrative Directive, AD 02.15 Operations of the Emergency Action Center (EAC) and Reporting Procedures to the Office of the Inspector General (OIG) indicates the necessity and immediacy of reporting incidents and crimes to the Emergency Action Center and the Office of the Inspector General.

This Safe Prisons/PREA Plan also outlines Sexual Abuse Response and Investigation and Offender Protection Investigations, all of which are also outlined for the inmates in the Offender Orientation.

Interviews with the investigative staff, random staff, and inmates indicate knowledge and familiarity with these policies. Furthermore, pocket handbooks distributed to staff outline procedures to assist with reporting abuse and establishing the basis for investigation.

There were 47 incidents of allegation of sexual abuse and sexual harassment that were received at the Connally Unit during the past 12 months. All 47 investigations began administratively with 8 being referred for criminal investigation.

The agency has a policy that requires allegations of sexual abuse or sexual harassment be referred for investigation to those with the legal authority to conduct criminal investigations. These criminal investigations are documented and made publicly available.

The auditors reviewed these cases, and several of the investigations. The three investigators at the Connally Unit were interviewed at length by the auditors.

§115.31 – Employee Training

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

This Safe Prisons/PREA Plan and the leadership from the Executive Director of TDCJ, through the Director of Correctional Institutions Division, through the regional PREA managers, and the Wardens, is the basis for staff training.

It was evident to the auditors, from the introductory dinner through the tour and with all contact with staff, volunteers and others, that there was a focus on PREA, that employees had been trained, that they had pocket information cards that assisted them in meeting PREA law, that “zero tolerance” was something they were familiar with, and that the staff and administration were sincerely interested in safe prisons.

Training records, staff interviews and curriculum reviews indicated that the staff at the Connally Unit were well trained and, in the auditors’ opinion, exceeded the requirement of the standard.

Exceeds was based on training in turnout sessions, i.e. shift briefings; in the videos prepared at the highest levels in TDCJ; and the efforts made by the Warden, the training staff, and the officer command staff (Majors, Captains, and Lieutenants) at the institutional level.

In the past 12 months, 522 of the 523 staff have been trained or retrained in 10 listed PREA requirements. The agency has clearly documented all training and verified such training through the employee's acknowledgment verification.

Finally, this standard Exceeds not only based on the continuous and thorough training, but also through extended training such as the TDCJ extra effort to afford safety, through its Strategic Threat Group training, Extortion training, and commitment to preventing, detecting, and responding to sexual abuse and harassment.

Especially notable at the Connally Unit is the teamwork and leadership displayed by the staff. The Warden and his staff take an active role in all aspects of the operation. The attendance at turnouts and shift briefings, the enthusiasm and professionalism displayed by Sergeants and other key staff is commendable. The overall superior teamwork effort is reflected in attitudes of the staff and the cleanliness and order of the facility.

§115.32– Volunteer and Contractor Training

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

All volunteers and contractors who have contact with inmates have been trained in their responsibilities under TDCJ's policies which include procedures regarding sexual abuse, sexual harassment, prevention, detection and response.

The emphasis on volunteer training can be recognized in the efforts made by the TDCJ leadership in the Central Office who have established a Volunteer Service Plan and a Handbook for Volunteers which is available on the public website. A special training video has also been established to educate volunteers who assist the Texas Department of Criminal Justice

The agency maintains documentation confirming that the volunteer/contractors understand the training they have received.

§115.33 – Inmate Education

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

The two auditors observed admission and orientation in addition to viewing the Handbook. PREA information was reviewed by the auditors. During the intake process, inmates received information specific to “zero tolerance” and specific to their rights regarding sexual abuse i.e. to be free from sexual abuse and sexual harassment, how to report incidents of sexual abuse and sexual harassment and the right to be free from retaliation for reporting sexual abuse and sexual harassment.

The number of inmates admitted during the past 12 months who were given this information at the Connally Unit was 825. Each inmate that was interviewed formally and informally by the auditors revealed that they had been given PREA information.

It is noted that the number of those who were not educated during this period was zero (0).

Key information is available and readily visible to inmates through posters, handbooks, and other written formats at the Connally Unit.

It should be noted that in the area of PREA education for inmates, staff shortage did not reflect any deficiencies for inmate education. Emphasis on inmates’ safety and compliance with PREA law was/is a priority. Inmate interviews revealed, even though a shortage is noted, they were educated to PREA and that efforts for their safety were acknowledged.

§115.34 – Specialized Training: Investigations

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

The agency’s training policy along with training curriculum and personnel policy, requires investigators to be trained in conducting sexual abuse investigations in confinement settings. This is outlined in a 59 page document; Correctional Training, Specialized Investigations.

The Office of the Inspector General also conducts specialized training as outlined in the OIG Operational Policy Manual (OPM) – 02.15. The number of investigators currently employed who have completed this training is 134. Three full-time OIG investigators are stationed at the Connally Unit.

The agency maintains documentation showing that investigators have completed the required training as outlined in the OIG, OPM – 02.15, and PD – 97.

§115.35 – Specialized training: Medical and mental health care

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

The University of Texas Medical Branch (UTMB) coordinates health care at the Connally Unit.

Correctional Managed Healthcare policies, CMHC 25.1 Orientation, CMHC C 19 Continuing Education and CMHC G 57.1 Sexual Assault and Sexual Abuse, all direct specialized training for medical and mental health care staff.

The University of Texas Medical Branch staff/practitioners who regularly work at the Connally Unit have received specialized training. Again, it should be noted that practitioners do not conduct forensic medical examinations.

The agency maintains documentation showing that medical and mental health practitioners have completed the required training.

100% of all medical and mental health care practitioners who regularly work at the Connally Unit have received the training required by agency and UTMB policy.

§115.41 – Screening for Risk of Victimization and Abusiveness

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

The Safe Prisons/PREA Operational Manual (SPPOM) outlines the screening process for the risk of victimization and abusiveness.

Inmates are assessed during the intake screening at time of reception into the TDCJ, and upon being transferred to another facility for their risk of being sexually abused by other inmates or of being sexually abusive towards other inmates. The Connally Unit assesses each inmate received on the "chain". The auditors had interviewed inmates who had just transferred and exited the bus. The screening took place that day and is immediate in most cases, however, as by policy, it is done within the 72 hour timeframe.

The intake process includes an objective assessment tool SPPOM 03.01 Attachment E Form, TDCJ Safe Prisons/PREA Operational Manual, Assessment Screening. This is done both at the original intake facility and at assignment to the unit. It includes the 10 items listed in 115.41 (d) of the PREA standard. (Note the Civil Immigration Assessment is completed at original intake as necessary, however, TDCJ does not hold detainees for civil immigration).

Additionally, as appropriate, a TDCJ Offender Intake Processing Psychological Screening Interview form of four pages is documented. These forms include history and are done within 30 days. The risk assessment levels are reassessed as warranted.

Inmates, by policy, may not be disciplined for refusing to answer questions concerning these forms and risk assessments.

Dissemination of inmate PREA information within the facility, of responses to intake/transfer questions and assessments within the facility, is on a "need to know basis".

Interviews with random staff and inmates, intake staff, review of the process, and a review of files and documents confirm compliance with this standard.

§115.42 – Use of Screening Information

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

During the intake process, it was noted that the institution made housing, bed, work, education, and program assignments for the inmates. Special attention was paid to the safety and security of those inmates that were at high risk of being sexually victimized and particular attention was paid to those inmates that were at risk of being sexually abusive or may be sexually abusive.

Each risk assessment screening, as addressed above, was on an individualized basis.

A transgender or intersex inmate is reviewed for placement at a male or female facility by a Reception/Intake Facility. There was one transgender case at the Connally Unit. Review/assessment is an ongoing process with the inmate's health and safety, and the security of the institution continually evaluated.

§115.43 – Protective Custody

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

The TDCJ has a policy, Safe Prisons/PREA Plan in conjunction with its Safe Prisons/PREA Operations Manual (SPPOM) – 05.05 and with its' Administrative Segregation Plan, prohibiting the placing of inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made and a

determination has been made that there is no available alternative means of separation from likely abusers.

There have been zero (0) number of inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months at the Connally Unit.

The auditors, from both inmate and staff interviews, felt that the staff at the Connally Unit were very professional, security and safety concerned, and individually directed when addressing inmate housing and program needs consistent with the safety and security of staff and inmates at the facility.

§115.51 – Inmate Reporting

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

The Safe Prisons/PREA Plan has established procedures for allowing for multiple internal ways for inmates to report privately to agency officials.

The Safe Prisons/PREA Operational Manual and attachments outlines ways for inmates to report sexual harassment or sexual abuse.

Inmate Handbooks, distributed during intake, outline ways for inmates to report sexual harassment or sexual abuse.

The Texas Board of Criminal Justice PREA brochure, which outlines ways for reporting sexual abuse of inmates, is distributed to the public.

Simply, offenders may report allegations directly to the Major, the Office of the Inspector General (OIG), and the PREA Ombudsman. Reports to the PREA Ombudsman may be made confidentially. Third parties, including fellow offenders, staff members, family members, attorneys, and advocates, shall be permitted to assist offenders and request for administrative remedies relating to an allegation of sexual abuse.

Reporting information is attainable through inmate handbooks, on posters/bulletin boards, in information handouts, in the institutional libraries, and through the staff.

The agency provides for at least one way for inmates to report sexual harassment or abuse that is not part of the Correctional Institution Division (CID) TDCJ, and that is via the Texas Board of Criminal Justice (TBCJ) that has established a PREA Ombudsman's Office for reporting PREA incidents.

Interviews with inmates and staff revealed that inmates know how to report sexual abuse and sexual harassment and that staff know how to report sexual abuse and sexual harassment.

§115.52 – Exhaustion of Administrative Remedies

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

The Connally Unit, and the agency TDCJ, have an administrative procedure for dealing with inmate grievances regarding sexual abuse and sexual harassment. Policy and procedures are established for filing grievances as well as emergency grievances alleging that an inmate is subject to substantial risk of imminent sexual abuse.

Administrative Directives, AD 03.77 and AD 03.82 addressing, offender grievances and management of the offender grievances, is available to inmates and staff. Additionally, the Inmate Handbook and the Safe Prisons/PREA Plan and the Safe Prisons/PREA Operational Manual also cover these topics.

In the past 12 months, 11 grievances were filed that alleged sexual abuse. All 11 grievances alleging sexual abuse reached final decision within 90 days after being filed.

There were zero (0) number of inmate grievances alleging sexual abuse that resulted in disciplinary action by the agency for having been filed in bad faith.

§115.53 – Inmate Access to Outside Confidential Support Services

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

Inmate access to outside confidential support services is supported by the agency through its Safe Prisons/PREA Plan and is identified in the institutional inmate handbook, "How to Access Support Services".

Moreover, the Inmate Handbook indicates that an offender shall be provided access to victim advocates for emotional support services related to sexual abuse by staff if outside sources cannot be secured. Mailing addresses and telephone numbers, as well as toll-free hotline numbers have been provided to the inmate population. However, it seems that male institutions within Texas are having a tough time developing relationships and Memorandums Of Understanding (MOU) with rape crisis centers to procure these confidential support services.

There are listed outside confidential support services provided to the inmate population. However, again, there is no Memorandum Of Understanding or agreement with community

providers. The institution has solicited help but has been unsuccessful. The Religious Department Chaplain along with mental health staff and unit management staff have been trained in these kind of support services.

§115.54 – Third-Party Reporting

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

The Texas Board of Criminal Justice (TBCJ) Ombudsman website provides a method to receive third-party reports of inmate sexual abuse or harassment. Executive Directive, ED – 02.03 and Executive Directive, ED – 02.10, addresses information on the public website such as, how to report, to whom to report, and PREA complaints and inquiries.

Specifically, the policy states “the Texas Board of Criminal Justice (TBCJ) established the Prison Rape Elimination Act PREA Ombudsman’s Office to investigate, process PREA complaints and inquiries in accordance with the Prison Rape Elimination Act Ombudsman policy statement.” Moreover, it directs the public to the TDCJ website where the name, mailing address, and phone number to be used for the purpose of directing inquiries and complaints to the PREA Ombudsman are available.

The TDCJ “General Information Guide for Families of Offenders” outlines the mission of the TDCJ, and gives a brief description of principle program areas for the family. The table of contents list everything from intake to an institutional/unit directory and includes a section for the TBCJ PREA Ombudsman. This pamphlet is 39 pages with a wealth of information, including PREA third-party reporting.

Finally, the Executive Directive, ED – 02.10 attachment A is a PREA Ombudsman Inquiry Response Form outlining the specific allegations, prior institutional actions, and offender and staff interviews.

Inmate interviews confirmed knowledge of the PREA Ombudsman’s Office.

§115.61 – Staff and Agency Reporting Duties

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

The TDCJ Safe Prisons/PREA Plan (p. 23) and the Safe Prisons/PREA Operational Manual (SPPOM) clearly outlines the staff and agency reporting steps. All staff is required to report immediately and in accordance to policy; any knowledge, suspicion, or information they

receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility whether or not it is part of the agency.

The plan and manual also require all staff to report immediately and according to the above policy, retaliation against inmates or staff who report such an incident. Staff neglect or violation of responsibility that may have contributed to an incident of retaliation is also required to be reported.

The Safe Prisons/PREA Plan, (p. 23) and the SPPOM – 05.01 prohibits staff from revealing information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions.

Interviews with staff, volunteers, and contractors as well as review of training records and curriculum, confirmed this responsibility.

§115.62 – Agency Protection Duties

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

This Safe Prisons/PREA Operational Manual (SPPOM) and the Administrative Directive, AD 02.15 outline the immediate action that is to be taken to protect inmates who are in substantial risk of sexual abuse. It also outlines the action to be taken to assist and implement appropriate protective measures without reasonable delay.

The Connally Unit institutional staff are very knowledgeable and well-trained in their protection duties when an inmate is subject to imminent sexual abuse or at risk of imminent sexual abuse. Interviews with staff and inmates confirmed such.

In the past 12 months, the facility has determined that an inmate was subject to substantial risk of imminent sexual abuse four (4) times. Each of these instances was addressed immediately.

§115.63 – Reporting to Other Confinement Facilities

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

In the past 12 months, the Connally Unit received one allegation that an inmate was abused while at another facility. The Connally Unit notified the appropriate office of the facility where

the sexual abuse was alleged to have occurred. Appropriate attention and follow-up was initiated.

In the past 12 months, there have been zero (0) number of allegations of sexual abuse that the Connally Unit received from other facilities.

The Safe Prisons/PREA Plan along with Administrative Directive, 16.20 address this standard.

§115.64 – Staff First Responder Duties

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

The Texas Department of Criminal Justice Safe Prisons/PREA Operating Manual, it's Administrative Directive, AD 16.03, Evidence Handling and the Office of the Inspector General Operating Procedure Manual; all detailed the policy and action for the first responder to an allegation of sexual abuse.

The first security staff member to respond to the report that an inmate was sexually abused is required to separate the alleged victim and abuser, preserve and protect the crime scene, and request the alleged victim to take no action to destroy evidence. The policy also requires that efforts be made to ensure that the alleged abuser does not take any action that could destroy evidence, and then to notify the immediate supervisor or shift commander.

Random interviews with staff, interviews with the investigative staff, and higher and intermediate level supervisor interviews, all indicated that staff were aware of the steps and duties that first responders must take.

The auditors reviewed training curriculum, documents, and video presentations outlining first responders duties and responsibilities.

§115.65 – Coordinated Response

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

Under the leadership of the Senior Warden, there has been an emphasis on establishing a coordinated response. Monthly meetings are held with key staff, whether an incident has occurred or not. Conversations and interviews with the Warden revealed his personal commitment to PREA compliance. The agency/facility has a plan to coordinate actions taken

in response to an incident of sexual abuse, including first responders, medical and mental health practitioners, investigators, and facility leadership.

The TDCJ Safe Prisons/PREA Operation Manual dictates responding to an allegation of sexual abuse and requires a coordinated effort between Unit security staff, the Office of the Inspector General, medical and mental health services, and victim advocates or victim offender representatives. Procedures have been outlined to provide a systematic notification in the response process following a reported sexual abuse incident.

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

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

Central Office reported there has been no collective bargaining agreement entered into or renewed since August 2012. The TDCJ is not responsible for collective bargaining on the agency's behalf. Texas is a "right to work state" and does not have collective bargaining that would interfere with the preservation of the agency's ability to protect inmates from contact with abusers.

§115.67 – Agency protection against retaliation

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

The Connally Unit protects inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations, from retaliation by staff or inmates. Not only is this protection against retaliation outlined in the Safe Prisons/PREA Plan of the TDCJ, but by the appointment of the Warden, as the monitor for staff retaliation, and by the appointment of a correctional major for monitoring inmate retaliation, these high appointments assist in, and communicate a commitment for, protection against retaliation. One sees a high priority for protection against retaliation of staff and inmates.

Additionally, there are personnel policies covering sexual harassment and discourteous conduct of a sexual nature. There are also general rules in personnel for conduct in the workplace, discrimination in the workplace, and sexual misconduct with offenders.

There is a 90 day monitoring time for the retaliation review period. Accompanying this review is a monitoring form for inmates/offenders and a monitoring form for staff. These forms assist in appropriately monitoring retaliation.

There have been zero (0) number of times an incident of retaliation has occurred in the past 12 months.

§115.68 – Post-Allegation Protective Custody

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

The agency has a policy prohibiting 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 and a determination has been made that there is no available alternative means of separation from likely abusers. Simply, the state of Texas has a large prison system and separation options are readily available.

Administrative Directives, AD 03.50 and AD 04.63, as well as the agency's Administrative Segregation Plan, prohibits the placement of inmates who allege to have suffered sexual abuse in involuntary segregated housing. At the Connally Unit other alternatives, such as transfer, would be explored.

There have been zero (0) number of inmates who allege to have suffered sexual abuse, who were held in involuntary segregated housing in the past 12 months.

§115.71 – Criminal and Administrative Agency Investigations

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

The Safe Prisons/PREA Plan of the TDCJ, addresses investigations under General Considerations. The three-step outline of considerations is as follows: 1) a uniform evidence protocol to investigate sexual abuse and sexual harassment, 2) sexual investigation shall be conducted promptly, early, and objectively including third-party and anonymous reports, and 3) the use of investigators who have been specially trained in sexual abuse investigations pursuant the TDCJ Safe Prisons/PREA Plan.

Further, the agency's Administrative Directive, AD 16.20 Reporting Incidents/Crimes to the Office of the Inspector General, establishes policy related to criminal and administrative

agency investigations. This policy includes the direction that allegations of conduct which appear to be criminal, are referred for prosecution.

The Office of the Inspector General addresses and insures retention of all written reports for as long as the alleged abuser is incarcerated or employed by the agency, +5 years.

§115.72 – Evidentiary Standard for Administrative Investigations

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

The Safe Prisons/PREA Plan for the TDCJ, imposes a standard of preponderance of the evidence.

Specifically, in the definitions for Unit Investigations and the evidentiary standard for Administrative Investigations, the following is quoted: “the agency shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated”. The information goes on to inform us that a preponderance of the evidence means that more than 50% of the evidence supports the allegation. This standard limits a facility’s ability to raise this requirement.

§115.73 – Reporting to Inmate

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

The agency has a policy requiring that any inmate who makes an allegation that he or she suffered sexual abuse in an agency facility is informed, verbally or in writing, as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation by the agency.

Of alleged sexual abuse investigations that were completed in the past 12 months, 21 inmates were notified verbally or in writing, of the results of the investigation. The policy relating to investigated allegations being effective July, 2014.

Policy also prescribes that following an inmate’s allegation that a staff member has committed sexual abuse against the inmate, the facility subsequently informs the inmate (unless unfounded) of certain issues such as whether the staff member is no longer posted, no longer employed, or has been indicted. (SPPOM – 05.11)

Interviews with investigators confirmed that an inmate who makes an allegation that he suffered sexual abuse at the Connally Unit is notified.

The auditors felt that the Connally Unit is in compliance with the provisions of this PREA Standard, Reporting to Inmates, consistent with the effective date of TDCJ policy.

§115.76 – Disciplinary sanctions for staff

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

Personnel policy of the TDCJ stipulates that employees or representatives of the Department are expected to adhere to the highest standards of conduct while on duty or off duty, including adherence to the rules of conduct in disciplinary violations.

An Executive Directive, Sexual Harassment and Discourteous Conduct of a Sexual Nature, ED – 13, further outlines expectations of employees.

Personnel Policy, PD – 29, Sexual Misconduct with Offenders, addresses sexual abuse, sexual harassment, sexual misconduct, and voyeurism.

Furthermore, the Texas Penal Code 39.04, addresses sexual abuse of inmates and the fact that it may rise to the level of a felony offense.

The Guidelines for Employees details the sanctions and actions required related to sexual abuse, sexual harassment, sexual misconduct, and voyeurism.

At the Connally Unit, in the past 12 months, there have been zero (0) number of facility staff that have been disciplined for violation of agency sexual abuse or sexual harassment policies. There has also been zero (0) number of staff that have been reported to law enforcement or licensing boards following termination or resignation prior to termination, for violating agency sexual abuse and sexual harassment policies.

§115.77 – Corrective action for contractors and volunteers

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

The TDCJ has a very thorough and comprehensive Volunteer Service Plan (VSP) that, in conjunction with the Safe Prisons/PREA Plan, outlines the responsibilities and conduct for

volunteers who have contact with inmates. Special training and orientation is required to become a volunteer.

The training outlined in PREA standard 115.32 outlines and emphasizes the gravity of any volunteer or contractor who engages in sexual abuse to the extent that violators may be reported to law enforcement agencies or licensing boards unless the activity was clearly not criminal.

Volunteers and contractors signed acknowledgment forms indicating their orientation, training, and understanding of such.

At the Connally Unit, in the past 12 months, there have been zero (0) number of volunteers or contractors reported to law enforcement for engaging in sexual abuse of inmates.

§115.78 – Disciplinary sanctions for inmates

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

Inmate Discipline Policy, GR – 106, Disciplinary Rules and Procedures for Offenders, and the Safe Prisons/PREA Plan outline disciplinary sanctions for inmates for sexual abuse and sexual harassment. The inmate discipline policy clearly identifies individual disciplinary sanctions for inmates.

The Inmate Discipline Policy is substantial (47 pages) outlining major and minor offenses, all with different levels, but clearly indicating a very formal disciplinary process resulting in administrative findings. Inmates are subject to disciplinary sanctions following a criminal finding of guilt for inmate on inmate sexual abuse.

Correctional Managed Healthcare Policy, CHMC E – 35 is especially comprehensive and thorough in outlining therapy, counseling and interventions.

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

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

Risk screening and risk assessment is especially important during the intake process within the Texas Department of Criminal Justice. The Connally Unit, in screening inmates, uses the

committee system and personal interviews with supporting staff, including the PREA Compliance Manager or Assistant. During this intake process and risk screening process, inmates that disclose prior sexual victimization are offered a follow-up with a mental health practitioner. This follow-up is outlined in the Safe Prisons/PREA Plan and in the Safe Prisons/PREA Operational Manual (SPPOM).

The Health Services Department of the University of Texas Medical Branch (UTMB) also outlines in its policy, CMHC E – 35.2, Mental Health Evaluation and CHMC G - 57.1, Sexual Assault/Sexual Abuse Follow-up Services, and further outlines treatment and screening.

Information related to sexual victimization or abusiveness that occurred other than while imprisoned and discovered in health screenings is strictly limited to medical and mental health practitioners. These medical and mental health practitioners obtain informed consent before reporting prior sexual victimization that did not occur in an institutional setting.

§115.82 – Access to emergency medical and mental health services

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

Emergency medical care is provided through the University of Texas Medical Branch (UTMB) staff station, at the facility, 911 emergency/ambulance services, and through the local Otto Kaiser Hospital in Kenedy, Texas.

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

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

The Connally Unit offers medical and mental health evaluation, treatment, and victim assistance, as appropriate, to all inmates who have been victimized by sexual abuse. Treatment and services are also extended to abusers.

Medical/mental health treatment is outlined in the Safe Prisons/PREA Plan in the section, Ongoing Medical and Mental Health. It is further detailed in the Correctional Managed Health Care Policy, G – 57.1, Sexual Assault/Sexual Abuse, which further addresses ongoing care and follow up. Healthcare employees interviewed at the Connally Unit confirmed their commitment and dedication to appropriate and personalized total health care to the inmates.

Interviews with randomly selected inmates confirmed the UTMB's attention and care for victims and abusers pursuant PREA.

Brochures, handouts and materials on sexual assault awareness are distributed to the inmates during intake. Additionally, the Inmate Handbook advises the inmate population of offerings by the Medical and Mental Health Department concerning evaluation, treatment and ongoing medical and mental health care as appropriate.

§115.86 – Sexual abuse incident reviews

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

The TDCJ Administrative Directive, AD 02.15, Operations of the Emergency Action Center (EAC) and Reporting Procedures for Serious and Unusual Incidents, and the Safe Prisons/PREA Plan, all direct that reports be made which are reviewed by the Warden and staff at the facility.

There is a monthly Safe Prisons/PREA report outlined in the Safe Prisons/PREA Operational Manual, 08.01, which involves the Warden and the PREA Compliance Manager reviewing findings and implementing recommendations or improvements concerning such reports and incidents.

There is a Sexual Abuse Incident Review Team at the Connally Unit that includes the Warden. Interviews with the Warden and Assistant Wardens reflect an intense and thorough involvement with the review team, the determinations made on each allegation, a timely review, and input from Health Services and the PREA Manager. The PREA Compliance Manager maintains the appropriate records.

Reviews are made monthly.

§115.87 – Data Collection

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

The Texas Board of Criminal Justice (TBCJ) has established policy outlining the mission of the PREA Ombudsman to serve as an independent office to monitor or conduct administrative investigations, as well as to provide a point of contact for the public elected official and offenders who have complaints or inquiries regarding allegations of sexual assault, sexual

contact, staff sexual misconduct, or initiatives related to the PREA. It also includes collecting statistics regarding allegations of sexual assault, sexual contact, and staff sexual misconduct from each correctional facility. It goes further to state that statistical information regarding the total number of allegations of sexual assault, sexual contact, and staff sexual misconduct investigated by the TDCJ, the outcome of administrative investigations, and any disciplinary action resulting from the investigations will be made public and will be in an annual report (TDCJ policy BP-02.09).

The Survey of Sexual Violence (SSV) was reviewed by the auditors.

Data from private facilities complies with SSV reporting.

The PREA Ombudsman Office oversees the reporting of PREA statistical information.

§115.88 – Data Review for Corrective Action

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

The PREA audit process is less than a year old in the TDCJ, thus data review for corrective action is still being reviewed and assessed. Actions being taken are in the beginning stages. There is a long history of “safe prisons” and the TDCJ has used that information to improve the safety and security of their facilities. It is clearly noted that with this PREA standard, 115.88, the agency has taken very specific steps, importantly to the auditors, is the monthly reporting of data for the agency and the PREA Ombudsman review.

The Connally Unit uses its monthly reports, the overall agency annual report and the SSV to improve the effectiveness of its sexual abuse prevention, detection and response policies and training. Additionally, these tools and the Emergency Action Center reporting helps the institution identify problem areas and take corrective action on an ongoing basis.

Interviews with the Warden and higher intermediate staff, plus a review of the monthly and annual report substantiates this data collection and review for corrective action.

§§115.89 – Data Storage, Publication, and Destruction

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

The Texas Department of Criminal Justice Safe Prisons/PREA Plan ensures that incident-based and aggregate data are securely retained. The TDCJ maintains a sexual abuse data collection pursuant to statute, rule, and the standard, 115.87, for at least 10 years after the initial date of collection, unless federal, state, or local law requires otherwise.

The auditors reviewed the Records Retention Schedule brochure along with a memo from Records Management indicating security of the Texas government records from creation to final disposition. Records are required to be maintained as part of the Texas State Library and according to the Texas Government Code 444.184. Also noted was a letter concerning records management and the Safe Prisons/PREA Plan to confirm storage, publication, and destruction.

Agency policy requires that aggregated sexual abuse data from facilities under the TDCJ and private facilities it has contracted with, make such data available to the public, at least annually, through its website. The PREA Ombudsman makes this available in its PREA Annual Report.

AUDITOR CERTIFICATION:

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

James Curington

Auditor Signature

February 19, 2015

Date