

# PREA AUDIT: AUDITOR'S SUMMARY REPORT

## ADULT PRISONS & JAILS

NATIONAL  
PREA  
RESOURCE  
CENTER



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

<b>Name of facility:</b> C.T. Terrell Unit	
<b>Physical address:</b> 1300 RM 65, Rosharon, TX 77583	
<b>Date report submitted:</b> January 6, 2014	
<b>Auditor Information:</b> Alton Baskerville	
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<b>Date of facility visit:</b> December 8-December 10, 2014	
<b>Facility Information</b>	
Facility mailing address: (if different from above) Same	
<b>Telephone number:</b> (281) 595-3481	
<b>The facility is:</b>	<input type="checkbox"/> Military <input type="checkbox"/> County <input type="checkbox"/> Federal <input type="checkbox"/> Private for profit <input type="checkbox"/> Municipal <input checked="" type="checkbox"/> State <input type="checkbox"/> Private not for profit
<b>Facility Type:</b>	<input type="checkbox"/> Jail <input checked="" type="checkbox"/> Prison
<b>Name of PREA Compliance Manager:</b> Maria Brache	<b>Title:</b> Unit Safe Prisons PREA Manager/CO V
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<b>Agency Information</b>	
<b>Name of agency:</b> Texas Department of Criminal Justice	
<b>Governing authority or parent agency:</b> State of Texas	
<b>Physical address:</b> 861-B I-45 North, Huntsville, Texas 77320	
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# AUDIT FINDINGS

## **NARRATIVE:**

The PREA Audit of the C.T. Terrell Unit was conducted from December 8, 2014 through December 10, 2014. The Designated Auditor, Alton Baskerville, was assisted by Jeff Noble, a Certified PREA Auditor.

The Audit Team wishes to express our appreciation to Warden Steven Sperry and his staff for the hospitality, cooperation and professionalism shown throughout the audit. In addition, the Audit Team wishes to thank Regional Director Leon Echessa, Assistant Regional Director Steve Massive, PREA State Manager Cassandra McGilbra, and PREA Region Manger Vicki Mossbarger for their assistance in facilitating a smooth audit process.

Following the Entrance Meeting in the Warden's Conference Room, on Monday morning, December 8<sup>th</sup>, 2014, we began a thorough tour of the Unit. There was good interaction between the inmates and the staff. The inmates spoke freely with the auditors, and did not express any concerns about security or safety.

The security and non-security staff were knowledgeable about actions to take as a first responder to an allegation of sexual abuse. Notification of female on the unit was very effective with written reminders above the entrance to the housing areas. Inmates are shown the PREA video upon arrival to the Unit. Also, the PREA video is shown in an inmate waiting area 24 hours a day, 7 days a week.

Terrell Unit has gang showers which could be problematic if they receive transgender or intersex offenders at the Unit. Their procedure will require the special need inmate to shower alone in the gang shower area, delaying showers for a number of inmates. The Unit does not have any transgender or intersex inmates during the time of the audit.

The Designated Auditor received the written PREA Compliance Coordinator Interview responses from William Stephens, Director of Correctional Institutions Division and Compliance Coordinator. The Audit Team interviewed at least one offender from each housing unit. Those interviewed were randomly selected by the auditors from a list of all the offenders in the facility. 14 offenders were interviewed including those in a designated group (e.g. disabled, limited English speaking ability, gay, etc.). 11 randomly selected correctional officers and other identified specialized staff were interviewed, including the Warden, PREA Manager, Investigator, first responders, healthcare providers, mental health professionals, contractors and a volunteer. A total of 44 interviews were conducted.

After the on-site audit was completed, the Audit Team conducted an exit meeting with Warden Sperry and his executive staff, Regional Director Echessa, Cassandra McGilbra and other staff. The audit team briefed staff with a summary of their findings and thanked everyone for their cooperation. The audit team found that the Charles T. Terrell Unit met all of the applicable PREA Audit Prisons and Jail Standards.

## **DESCRIPTION OF FACILITY CHARACTERISTICS:**

The Charles T. Terrell Unit is part of the Ramsey Units Complex, located on 16,844 acres of land near Rosharon, Texas. The Terrell Unit, a facility accredited by the American Correctional Association, is a minimum security facility with a male population ranging in age from 20 to 77

years.

The Terrell Unit is divided into three areas: the Main Building, the Trustee Camp and the Expansion Unit. The Main Building, originally built in 1983, can accommodate 1,055 offenders in general population, 12 infirmary beds and 31 segregations beds. The Trustee Camp, opened in 1987, is a campus style facility and can house 214 offenders. The Expansion Unit, opened in 1994, can house 334 offenders.

At the time of the audit, the facility's inmate population was 1558 inmates of a potential total capacity of 1598 inmates. The number of full time staff employed at the facility during the past 12 months is 437, and 35 staff members hired within the past 12 months have direct contact with inmates.

**SUMMARY OF AUDIT FINDINGS:**

Number of standards exceeded: 0  
Number of standards met: 40  
Number of standards not met: 0  
Number of standards not applicable: 3

### **§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 Texas Department of Criminal Justice (TDCJ) has a written policy, policy number ED-03.03, revised in August 2013, that mandates zero tolerance towards all forms of sexual abuse and sexual harassment.

TDCJ has appointed the Director of the Correctional Institutions Division to coordinate agency-wide compliance with PREA standards through the establishment of a Safe Prisons/PREA Compliance Plan. The Safe Prisons/PREA Compliance Plan details implementation of the agency's zero tolerance policy, defines prohibited behavior, outlines strategies and responses to reduce and prevent sexual abuse and sexual harassment, and details sanctions for violators.

### **§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)
- Standard Not Applicable

The Terrell Unit has not entered into or renewed any contracts on or after August 20, 2012 with other entities for the confinement of inmates.

### **§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)

TDCJ has a written administrative directive, AD-11.52, revised in August 2013, that mandates adequate staffing levels for the safety and security of employees and offenders. According to AD-11.52, if any deviations from the staffing plan are taken, the unit staff are to document the position deviation and the reason for the deviation on the back of the shift turnout roster.

TDCJ has post orders PO-07.002 – PO-07.005, adopted in August 2013, that direct supervisory staff to conduct unannounced rounds to identify and deter staff sexual abuse and sexual harassment.

#### **§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)
- Standard Not Applicable

The Terrell Unit does not have any youthful offenders.

#### **§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)

TDCJ has implemented an administrative directive, AD-03.22, revised in August 2013, that establishes policies and procedures for searches of all offenders, including transgender and intersex searches. Over 97 percent of security staff have been trained on conducting cross-gender pat-downs, and transgender and intersex searches consistent with security needs.

#### **§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)

TDCJ has established procedures to provide disabled and limited English proficiency inmates equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect and respond to sexual abuse and sexual harassment. TDCJ's agency directive AD-04.25 prohibits the use of inmate interpreters, inmate readers or other types of inmate assistants, except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties or investigation of the inmate's allegations.

### **§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)

TDCJ has implemented policies and procedures, through executive directives and the Safe Prisons/PREA Plan, prohibiting the hiring or promoting of anyone who may have contact with inmates who has previously been convicted or adjudicated to have engaged, or attempted to engage, in forced or nonconsensual sexual activity or sexual abuse. In the past 12 months, 35 persons who may have contact with inmates have been hired at the Terrell Unit and have completed criminal background record checks.

### **§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)

The Terrell Unit has not acquired any new facilities or made any substantial expansions or modifications to existing facilities since August 20, 2012. The Terrell Unit has installed or updated a video monitoring system, electronic surveillance system or other monitoring technology since August 20, 2012.

### **§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 conducting administrative and criminal sexual abuse investigations, and policies are in place for uniform evidence handling. Forensic medical exams are offered with no cost to the victim and are conducted by SAFEs/SANEs. Within the past 12 months, no forensic medical exams have been conducted at the Terrell Unit.

### **§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)

TDCJ has policies and procedures, documented in the Safe Prisons/PREA Manual, for coordinating administrative criminal investigations for all allegations of sexual abuse and sexual harassment. During the past 12 months, the Terrell Unit received 9 allegations of sexual abuse and sexual harassment, of which 8 resulted in administrative investigations and 4 were referred for criminal investigations.

### **§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)

In accordance with TDCJ's administrative directive, AD-12.20, all uniformed and designated non-uniformed employees receive training on PREA requirements at least once a year during their annual in-service training. In the past 12 months, 373 employees at the Terrell Unit were trained on PREA requirements.

### **§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)

TDCJ trains all volunteers and contractors who have contact with inmates on their responsibilities under the agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection and response. In the past 12 months, 8,426 volunteers and contractors have received training on these policies. TDCJ maintains documentation of such training by requiring each volunteer/contract to sign an Acknowledgement of Training form after each training session.

### **§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)

Terrell Unit inmates receive information at intake about the agency's zero-tolerance policy and how to report incidents or suspicions of sexual abuse or harassment. In the past 12 months, 756 inmates have received PREA information at intake, and 635 inmates received comprehensive education on their rights within 30 days of intake.

#### **§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)

TDCJ maintains policies and procedures requiring investigators to be trained in sexual abuse investigations in confinement settings. 123 Office of the Inspector General investigators and 12 Safe Prisons investigators have completed the required PREA training.

#### **§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)

TDCJ has 40 medical and mental health care practitioners who work regularly at the facility, all of whom have received the agency's required PREA training. TDCJ staff do not conduct forensic examinations.

#### **§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)

TDCJ has established procedures, documented in the Safe Prisons/PREA Operations Manual, that require all inmates to be screened for risk of sexual victimization or risk of sexually

abusing other inmates within 24 hours of their intake. 726 inmates that entered the facility within the past 12 months were screened for the above-stated risks.

#### **§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)

TDCJ uses information from the risk screening to inform housing, bed, work, education and program assignments with the goal of keeping separate inmates at high risk of being sexually victimized from inmates at high risk of being sexually abusive. These policies are documented in the Safe Prisons/PREA Operation Manual, administrative directives and intake procedures. Additionally, TDCJ has established procedures, documented in the Correctional Managed Health Care Policy Manual, for individualized determinations to ensure the safety of all inmates and the treatment of intersex inmates.

#### **§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)

TDCJ has established policies, documented in the Safe Prisons/PREA Operation Manual, the Administrative Segregation Plan, and other administrative forms, that prohibit the placing of inmates at high risk for sexual victimization in involuntary segregated housing unless no alternatives are available. In the past 12 months at the Terrell Unit, no inmates at risk of sexual victimization were held in involuntary segregated housing.

#### **§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)

TDCJ has established procedures for inmates and staff to privately report sexual abuse or harassment of inmates. Inmates may report allegations directly to the major, the Office of the Inspector General or the PREA Ombudsman Office. Additionally, TDCJ staff may

report suspected instances of sexual abuse or sexual harassment to the Ombudsman Office, the Office of the Inspector General or the PREA Ombudsman Office.

#### **§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)

TDCJ has established administrative procedures for dealing with inmate grievances regarding sexual abuse documented in administrative directive AD-03.82. In the past 12 months, no grievances were filed of alleged sexual abuse.

#### **§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)

Inmates are given access to contact information for outside support services. A list of local, state and national rape advocacy centers is maintained at the Terrell Unit's law library.

#### **§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 TDCJ website has information of the PREA Ombudsman Office for third parties to call and confidentially report incidents of inmate sexual abuse or sexual harassment. This information is also available in the General Information Guide for Families of Offenders, which is also publicly available on the TDCJ website.

#### **§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)

TDCJ has established policies, documented in the Safe Prisons/PREA Plan and the Safe Prisons/PREA Operations Manual, that require staff to immediately report any knowledge, suspicion or information regarding an incident of sexual abuse or harassment, retaliation, or staff neglect or violation of PREA responsibilities.

#### **§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)

TDCJ has established policies, documented in the Safe Prisons/PREA Operations Manual, that require immediate action to be taken to protect an inmate when the agency or facility learns that an inmate is subject to a substantial risk of imminent sexual abuse. In the past 12 months, there have been 7 cases where an inmate was determined to be in substantial risk of imminent sexual abuse. Immediate action was taken in each case.

#### **§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)

TDCJ has established policies requiring notification of appropriate staff upon receiving an allegation that an inmate was sexually abused while confined at another facility. In the past 12 months, the Terrell Unit received no allegations that an inmate was abused while confined at another facility.

#### **§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)

TDCJ has a first responder policy, documented in the Safe Prisons/PREA Operations Manual, Administrative Directive-16.03 and the OIG Operational Procedures Manual, for allegations of sexual abuse. In the past 12 months, there were 9 allegations that an inmate was sexually abused. There were no instances in the past 12 months where non-security staff served as first responders to an allegation of inmate sexual abuse.

#### **§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)

TDCJ has developed a written institutional plan, documented in the Safe Prisons/PREA Operations Manual and the Safe Prisons/PREA Plan, to coordinate actions among first responders, medical staff, investigators and leadership taken in response to an incident of sexual abuse.

#### **§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)
- Standard Not Applicable

TDCJ has not entered into any collective bargaining agreements.

#### **§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)

TDCJ has established policies that protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with investigations from retaliation by other inmates or staff. TDCJ policies require 90-day monitoring for possible retaliation against inmates

or staff who reported sexual abuse. In the past 12 months, there have been no incidents of retaliation.

#### **§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)

TDCJ has established policies that prohibit the use of involuntary segregated housing to protect an inmate who is an alleged victim of sexual abuse. In the past 12 months, no inmates were held involuntarily in segregation housing.

#### **§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)

TDCJ has established policies, documented in administrative directive AD-16.20 and the Safe Prisons/PREA Plan, requiring an investigation to be conducted and documented whenever a sexual assault or threat is reported, and for all substantiated allegations that appear to be criminal to be referred to the Office of Inspector General (OIG). Since August 20, 2012, no allegations have been referred to OIG for prosecution.

#### **§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)

TDCJ has established policies, documented in the Safe Prisons/PREA Plan and the Safe Prisons/PREA Operations Manual, that impose a standard no higher than a preponderance of the evidence for determining whether allegations of sexual abuse or sexual harassment are substantiated.

#### **§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)

TDCJ has established policies, documented in the Safe Prisons/PREA Plan, stating that following an investigation, the agency will inform the offender as to whether the allegation has been substantiated, unsubstantiated or unfounded. In the past 12 months, 9 administrative investigations of alleged inmate sexual abuse were completed by the agency. No notifications were made to the inmates concerning the results of the investigations since these investigations were completed prior to the implementation of the Safe Prisons/PREA Plan in July 2014. However, none of the allegations were accepted for prosecution.

#### **§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)

TDCJ has established personnel policies and procedures for imposing disciplinary sanctions against staff, up to and including termination, who violate the agency's sexual abuse or sexual harassment policies. In the past 12 months, no staff has been found in violation of PREA policies, and therefore, no disciplinary sanctions have been warranted.

#### **§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)

TDCJ has established policies requiring any contractor or volunteer who engages in sexual abuse to be reported to law enforcement and prohibited from further contact with inmates. In the past 12 months, there have been no allegations of sexual abuse against contractors or volunteers.

#### **§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)

TDCJ has established policies stating that inmates are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate sexually abused another inmate. In the past 12 months, there have been no findings of guilt for inmate-on-inmate sexual abuse that occurred at the Terrell Unit.

#### **§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)

TDCJ has established policies, documented in the Correctional Managed Health Care Policy Manual along with other manuals, requiring all inmates identified as high risk with a history of sexually assaultive behavior or sexual victimization to be assessed by a mental health or other qualified professional within 14 days.

#### **§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)

TDCJ has established policies, documented in the Correctional Managed Health Care Policy Manual along with other manuals, to provide inmate victims of sexual assault timely, unimpeded access to emergency medical treatment and crisis intervention services without any cost to the inmate.

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

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

TDCJ has established policies, documented in the Correctional Managed Health Care Policy Manual along with other manuals, stating the agency will offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse consistent with the community level of care. Since the Terrell Unit is an all-male facility, PREA Standard 115.83(e) concerning pregnancy is not applicable.

#### **§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)

TDCJ has established procedures, documented in the Safe Prisons/PREA Plan, the Safe Prisons/PREA Operations Manual and administrative directive AD-02.15, for conducting sexual abuse incident reviews. In the past 12 months, 3 criminal and 4 administrative investigations of alleged sexual abuse were completed at the Terrell Unit, excluding unfounded incidents. All 7 investigations were followed by a sexual abuse incident review within 30 days.

#### **§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)

TDCJ uses the Department of Justice's (DOJ) Survey of Sexual Violence form as a standard form and definitions sheet to facilitate the uniform collection of data for every sexual abuse allegation. During the time of this audit, TDCJ was in the process of providing 2013 data to the DOJ.

#### **§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)

TDCJ has established procedures for reviewing data collected and aggregated pursuant to §115.87 in order to assess and improve the effectiveness of its sexual abuse prevention,

detection, and response policies, practices, and training. Annual reports, approved by the agency head, containing institutional assessment information are posted on the TDCJ website: <http://tdcj.state.tx.us/publications/index.html#PREA>.

**§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)

TDCJ stores and destroys data pursuant to state laws governing records retention.

**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.

Atton Basherville

01/06/2015

Auditor Signature

Date