

# PREA Facility Audit Report: Final

**Name of Facility:** Ferguson Unit

**Facility Type:** Prison / Jail

**Date Interim Report Submitted:** NA

**Date Final Report Submitted:** 06/10/2024

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input type="checkbox"/>
<b>Auditor Full Name as Signed:</b> Matthew Taylor	<b>Date of Signature:</b> 06/10/2024

AUDITOR INFORMATION	
<b>Auditor name:</b>	Taylor, Matthew
<b>Email:</b>	mtaylor@azadc.gov
<b>Start Date of On-Site Audit:</b>	04/24/2024
<b>End Date of On-Site Audit:</b>	04/26/2024

FACILITY INFORMATION	
<b>Facility name:</b>	Ferguson Unit
<b>Facility physical address:</b>	12120 Savage Drive, Midway, Texas - 75852
<b>Facility mailing address:</b>	2 Financial Plaza Suite 105, Huntsville, Texas - 77340

Primary Contact
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<b>Name:</b>	Brenda German
<b>Email Address:</b>	brenda.german@tdcj.texas.gov
<b>Telephone Number:</b>	19364373439

<b>Warden/Jail Administrator/Sheriff/Director</b>	
<b>Name:</b>	William Wheat
<b>Email Address:</b>	William.Wheat@tdcj.texas.gov
<b>Telephone Number:</b>	19363483751 ext. 410

<b>Facility PREA Compliance Manager</b>	
<b>Name:</b>	TreShay Smith
<b>Email Address:</b>	Treshay.Smith@tdcj.texas.gov
<b>Telephone Number:</b>	O: 1-936-348-3751 ext.4

<b>Facility Health Service Administrator On-site</b>	
<b>Name:</b>	Joe Morgan
<b>Email Address:</b>	jfmorgan@utmb.edu
<b>Telephone Number:</b>	19363483751 ext.4415

<b>Facility Characteristics</b>	
<b>Designed facility capacity:</b>	2417
<b>Current population of facility:</b>	2387
<b>Average daily population for the past 12 months:</b>	2119
<b>Has the facility been over capacity at any point in the past 12 months?</b>	No
<b>Which population(s) does the facility hold?</b>	Males

<b>Age range of population:</b>	18-71
<b>Facility security levels/inmate custody levels:</b>	G1 - G5, Restrictive Housing, Outside Trusty
<b>Does the facility hold youthful inmates?</b>	No
<b>Number of staff currently employed at the facility who may have contact with inmates:</b>	362
<b>Number of individual contractors who have contact with inmates, currently authorized to enter the facility:</b>	67
<b>Number of volunteers who have contact with inmates, currently authorized to enter the facility:</b>	175

### AGENCY INFORMATION

<b>Name of agency:</b>	Texas Department of Criminal Justice
<b>Governing authority or parent agency (if applicable):</b>	
<b>Physical Address:</b>	861 Interstate 45, Huntsville, Texas - 77320
<b>Mailing Address:</b>	PO Box 99, Huntsville, Texas - 77340
<b>Telephone number:</b>	8005350283

### Agency Chief Executive Officer Information:

<b>Name:</b>	Bryan Collier
<b>Email Address:</b>	bryan.collier@tdcj.texas.gov
<b>Telephone Number:</b>	936-437-2101

### Agency-Wide PREA Coordinator Information

<b>Name:</b>	Cassandra McGilbra	<b>Email Address:</b>	cassandra.mcgilbra@tdcj.texas.gov
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## Facility AUDIT FINDINGS

### Summary of Audit Findings

The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.

Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.

#### Number of standards exceeded:

2

- 115.31 - Employee training
- 115.52 - Exhaustion of administrative remedies

#### Number of standards met:

35

#### Number of standards not met:

0

**Not audited at the facility level:**  
Audited at the agency-level, and not relevant to the facility-level audit because the facility has no independent responsibility for the operation of these standards.

8

## AGENCY AUDIT FINDINGS

### Summary of Audit Findings

These standards were audited at the agency-level. For more information, please see the attached agency audit report found at the end of this document.

The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.

Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A

compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.

**Number of standards exceeded:**

2

- 115.11 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
- 115.12 - Contracting with other entities for the confinement of inmates

**Number of standards met:**

8

**Number of standards not met:**

0

## POST-AUDIT REPORTING INFORMATION

### GENERAL AUDIT INFORMATION

#### On-site Audit Dates

1. Start date of the onsite portion of the audit:	2024-04-24
2. End date of the onsite portion of the audit:	2024-04-26

#### Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	The auditor made contact with Just Detention International and the Sexual Assault Resource Center (Texas)

### AUDITED FACILITY INFORMATION

14. Designated facility capacity:	2417
15. Average daily population for the past 12 months:	2119
16. Number of inmate/resident/detainee housing units:	24
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

**Audited Facility Population Characteristics on Day One of the Onsite Portion of the Audit****Inmates/Residents/Detainees Population Characteristics on Day One of the Onsite Portion of the Audit**

<b>36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:</b>	2387
<b>38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:</b>	0
<b>39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:</b>	0
<b>40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:</b>	0
<b>41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:</b>	0
<b>42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:</b>	70
<b>43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:</b>	18

<p><b>44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:</b></p>	<p>1</p>
<p><b>45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:</b></p>	<p>10</p>
<p><b>46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:</b></p>	<p>43</p>
<p><b>47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:</b></p>	<p>0</p>
<p><b>48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):</b></p>	<p>No text provided.</p>
<p><b>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</b></p>	
<p><b>49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:</b></p>	<p>230</p>
<p><b>50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</b></p>	<p>210</p>

<p><b>51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</b></p>	<p>66</p>
<p><b>52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:</b></p>	<p>No text provided.</p>
<p><b>INTERVIEWS</b></p>	
<p><b>Inmate/Resident/Detainee Interviews</b></p>	
<p><b>Random Inmate/Resident/Detainee Interviews</b></p>	
<p><b>53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:</b></p>	<p>20</p>
<p><b>54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)</b></p>	<p> <input checked="" type="checkbox"/> Age  <input checked="" type="checkbox"/> Race  <input checked="" type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic)  <input checked="" type="checkbox"/> Length of time in the facility  <input checked="" type="checkbox"/> Housing assignment  <input type="checkbox"/> Gender  <input type="checkbox"/> Other  <input type="checkbox"/> None </p>
<p><b>55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?</b></p>	<p>The auditor received a copy of the facility roster which broke down the population by age, race, ethnicity, length of time in the facility and custody level. The allowed the auditor to accurately select a random representation of the offender population in the facility.</p>

<b>56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</b>	No text provided.
<b>Targeted Inmate/Resident/Detainee Interviews</b>	
<b>58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:</b>	20
<p>As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".</p>	
<b>60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:</b>	0
<b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b>	<input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.  <input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.

<p><b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>The facility reported there were no offenders with a physical disability during the onsite portion of the audit. The auditor was able to confirm this information through review of offender rosters, observations during site review process and interviews conducted with staff at the facility.</p>
<p><b>61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>0</p>
<p><b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p><b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>The facility reported there were no offenders with a cognitive or functional disability during the onsite portion of the audit. The auditor was able to confirm this information through review of offender rosters, observations during site review process and interviews conducted with staff at the facility.</p>
<p><b>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>0</p>

<p><b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p><b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>The facility reported there were no offenders that were blind or had low vision during the onsite portion of the audit. The auditor was able to confirm this information through review of offender rosters, observations during site review process and interviews conducted with staff at the facility.</p>
<p><b>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>0</p>
<p><b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p><b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>The facility reported there were no offenders that were deaf or hard of hearing during the onsite portion of the audit. The auditor was able to confirm this information through review of offender rosters, observations during site review process and interviews conducted with staff at the facility.</p>
<p><b>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>4</p>

<p><b>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</b></p>	<p>5</p>
<p><b>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</b></p>	<p>1</p>
<p><b>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</b></p>	<p>4</p>
<p><b>68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:</b></p>	<p>6</p>
<p><b>69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:</b></p>	<p>0</p>
<p><b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>

<p><b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>The facility reported there were no offenders that were placed in segregated housing for risk of sexual victimization during the onsite portion of the audit. The auditor was able to confirm this information through review of offender rosters, observations during site review process and interviews conducted with staff at the facility.</p>
<p><b>70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</b></p>	<p>No text provided.</p>
<p><b>Staff, Volunteer, and Contractor Interviews</b></p>	
<p><b>Random Staff Interviews</b></p>	
<p><b>71. Enter the total number of RANDOM STAFF who were interviewed:</b></p>	<p>12</p>
<p><b>72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</b></p>	<p><input checked="" type="checkbox"/> Length of tenure in the facility</p> <p><input checked="" type="checkbox"/> Shift assignment</p> <p><input checked="" type="checkbox"/> Work assignment</p> <p><input checked="" type="checkbox"/> Rank (or equivalent)</p> <p><input checked="" type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken)</p> <p><input type="checkbox"/> None</p>
<p><b>If "Other," describe:</b></p>	<p>The auditor made an effort to capture equal interviews of both male and female staff working at the facility.</p>
<p><b>73. Were you able to conduct the minimum number of RANDOM STAFF interviews?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>

<p><b>74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</b></p>	<p>No text provided.</p>
<p><b>Specialized Staff, Volunteers, and Contractor Interviews</b></p>	
<p>Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.</p>	
<p><b>75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):</b></p>	<p>14</p>
<p><b>76. Were you able to interview the Agency Head?</b></p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>
<p><b>a. Explain why it was not possible to interview the Agency Head:</b></p>	<p>An agency level audit was conducted was conducted on 9/15/2023 and the agency head was interviewed as a result of that audit.</p>
<p><b>77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p><b>78. Were you able to interview the PREA Coordinator?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p><b>79. Were you able to interview the PREA Compliance Manager?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)</p>

**80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)**

- Agency contract administrator
- Intermediate or higher-level facility staff responsible for conducting and documenting unannounced rounds to identify and deter staff sexual abuse and sexual harassment
- Line staff who supervise youthful inmates (if applicable)
- Education and program staff who work with youthful inmates (if applicable)
- Medical staff
- Mental health staff
- Non-medical staff involved in cross-gender strip or visual searches
- Administrative (human resources) staff
- Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff
- Investigative staff responsible for conducting administrative investigations
- Investigative staff responsible for conducting criminal investigations
- Staff who perform screening for risk of victimization and abusiveness
- Staff who supervise inmates in segregated housing/residents in isolation
- Staff on the sexual abuse incident review team
- Designated staff member charged with monitoring retaliation
- First responders, both security and non-security staff
- Intake staff

	<input type="checkbox"/> Other
<b>If "Other," provide additional specialized staff roles interviewed:</b>	Offender grievance coordinator
<b>81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>a. Enter the total number of VOLUNTEERS who were interviewed:</b>	1
<b>b. Select which specialized VOLUNTEER role(s) were interviewed as part of this audit from the list below: (select all that apply)</b>	<input type="checkbox"/> Education/programming <input type="checkbox"/> Medical/dental <input type="checkbox"/> Mental health/counseling <input checked="" type="checkbox"/> Religious <input type="checkbox"/> Other
<b>82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>a. Enter the total number of CONTRACTORS who were interviewed:</b>	2
<b>b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)</b>	<input type="checkbox"/> Security/detention <input checked="" type="checkbox"/> Education/programming <input checked="" type="checkbox"/> Medical/dental <input type="checkbox"/> Food service <input type="checkbox"/> Maintenance/construction <input type="checkbox"/> Other

<b>83. Provide any additional comments regarding selecting or interviewing specialized staff.</b>	No text provided.
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**SITE REVIEW AND DOCUMENTATION SAMPLING**

**Site Review**

PREA Standard 115.401 (h) states, "The auditor shall have access to, and shall observe, all areas of the audited facilities." In order to meet the requirements in this Standard, the site review portion of the onsite audit must include a thorough examination of the entire facility. The site review is not a casual tour of the facility. It is an active, inquiring process that includes talking with staff and inmates to determine whether, and the extent to which, the audited facility's practices demonstrate compliance with the Standards. Note: As you are conducting the site review, you must document your tests of critical functions, important information gathered through observations, and any issues identified with facility practices. The information you collect through the site review is a crucial part of the evidence you will analyze as part of your compliance determinations and will be needed to complete your audit report, including the Post-Audit Reporting Information.

<b>84. Did you have access to all areas of the facility?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
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**Was the site review an active, inquiring process that included the following:**

<b>85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
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<b>86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
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<b>87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
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<p><b>88. Informal conversations with staff during the site review (encouraged, not required)?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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<p><b>89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).</b></p>	<p>No text provided.</p>
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**Documentation Sampling**

Where there is a collection of records to review-such as staff, contractor, and volunteer training records; background check records; supervisory rounds logs; risk screening and intake processing records; inmate education records; medical files; and investigative files-auditors must self-select for review a representative sample of each type of record.

<p><b>90. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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<p><b>91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).</b></p>	<p>No text provided.</p>
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**SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY**

**Sexual Abuse and Sexual Harassment Allegations and Investigations Overview**

Remember the number of allegations should be based on a review of all sources of allegations (e.g., hotline, third-party, grievances) and should not be based solely on the number of investigations conducted. Note: For question brevity, we use the term “inmate” in the following questions. Auditors should provide information on inmate, resident, or detainee sexual abuse allegations and investigations, as applicable to the facility type being audited.

**92. Total number of SEXUAL ABUSE allegations and investigations overview during the 12 months preceding the audit, by incident type:**

	<b># of sexual abuse allegations</b>	<b># of criminal investigations</b>	<b># of administrative investigations</b>	<b># of allegations that had both criminal and administrative investigations</b>
<b>Inmate-on-inmate sexual abuse</b>	21	5	21	5
<b>Staff-on-inmate sexual abuse</b>	23	1	23	1
<b>Total</b>	44	6	44	6

**93. Total number of SEXUAL HARASSMENT allegations and investigations overview during the 12 months preceding the audit, by incident type:**

	<b># of sexual harassment allegations</b>	<b># of criminal investigations</b>	<b># of administrative investigations</b>	<b># of allegations that had both criminal and administrative investigations</b>
<b>Inmate-on-inmate sexual harassment</b>	17	0	17	0
<b>Staff-on-inmate sexual harassment</b>	1	0	1	0
<b>Total</b>	18	0	18	0

## Sexual Abuse and Sexual Harassment Investigation Outcomes

### Sexual Abuse Investigation Outcomes

Note: these counts should reflect where the investigation is currently (i.e., if a criminal investigation was referred for prosecution and resulted in a conviction, that investigation outcome should only appear in the count for “convicted.”) Do not double count. Additionally, for question brevity, we use the term “inmate” in the following questions. Auditors should provide information on inmate, resident, and detainee sexual abuse investigation files, as applicable to the facility type being audited.

#### 94. Criminal SEXUAL ABUSE investigation outcomes during the 12 months preceding the audit:

	Ongoing	Referred for Prosecution	Indicted/ Court Case Filed	Convicted/ Adjudicated	Acquitted
<b>Inmate-on-inmate sexual abuse</b>	4	0	0	0	0
<b>Staff-on-inmate sexual abuse</b>	1	0	0	0	0
<b>Total</b>	5	0	0	0	0

#### 95. Administrative SEXUAL ABUSE investigation outcomes during the 12 months preceding the audit:

	Ongoing	Unfounded	Unsubstantiated	Substantiated
<b>Inmate-on-inmate sexual abuse</b>	0	0	20	1
<b>Staff-on-inmate sexual abuse</b>	0	15	7	1
<b>Total</b>	0	15	27	2

### Sexual Harassment Investigation Outcomes

Note: these counts should reflect where the investigation is currently. Do not double count. Additionally, for question brevity, we use the term “inmate” in the following questions. Auditors should provide information on inmate, resident, and detainee sexual harassment investigation files, as applicable to the facility type being audited.

**96. Criminal SEXUAL HARASSMENT investigation outcomes during the 12 months preceding the audit:**

	Ongoing	Referred for Prosecution	Indicted/ Court Case Filed	Convicted/ Adjudicated	Acquitted
<b>Inmate-on-inmate sexual harassment</b>	0	0	0	0	0
<b>Staff-on-inmate sexual harassment</b>	0	0	0	0	0
<b>Total</b>	0	0	0	0	0

**97. Administrative SEXUAL HARASSMENT investigation outcomes during the 12 months preceding the audit:**

	Ongoing	Unfounded	Unsubstantiated	Substantiated
<b>Inmate-on-inmate sexual harassment</b>	0	2	15	0
<b>Staff-on-inmate sexual harassment</b>	1	0	1	0
<b>Total</b>	1	2	16	0

**Sexual Abuse and Sexual Harassment Investigation Files Selected for Review**

**Sexual Abuse Investigation Files Selected for Review**

**98. Enter the total number of SEXUAL ABUSE investigation files reviewed/ sampled:**

10

<p><b>99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</b></p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)</p>
<p><b>Inmate-on-inmate sexual abuse investigation files</b></p>	
<p><b>100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</b></p>	<p>5</p>
<p><b>101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p><b>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p><b>Staff-on-inmate sexual abuse investigation files</b></p>	
<p><b>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</b></p>	<p>5</p>
<p><b>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>

<p><b>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
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**Sexual Harassment Investigation Files Selected for Review**

<p><b>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</b></p>	<p>5</p>
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<p><b>107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)</p>
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**Inmate-on-inmate sexual harassment investigation files**

<p><b>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</b></p>	<p>4</p>
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<p><b>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</b></p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
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<p><b>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
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<b>Staff-on-inmate sexual harassment investigation files</b>	
<b>111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</b>	1
<b>112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)
<b>113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)
<b>114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</b>	No text provided.
<b>SUPPORT STAFF INFORMATION</b>	
<b>DOJ-certified PREA Auditors Support Staff</b>	
<b>115. Did you receive assistance from any DOJ-CERTIFIED PREA AUDITORS at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No

**Non-certified Support Staff**

**116. Did you receive assistance from any NON-CERTIFIED SUPPORT STAFF at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.**

- Yes
- No

**AUDITING ARRANGEMENTS AND COMPENSATION**

**121. Who paid you to conduct this audit?**

- The audited facility or its parent agency
- My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option)
- A third-party auditing entity (e.g., accreditation body, consulting firm)
- Other

**Identify the name of the third-party auditing entity**

Corrections Consulting Services

<b>Standards</b>	
<b>Auditor Overall Determination Definitions</b>	
<ul style="list-style-type: none"> <li>• Exceeds Standard (Substantially exceeds requirement of standard)</li> <li>• Meets Standard (substantial compliance; complies in all material ways with the stand for the relevant review period)</li> <li>• Does Not Meet Standard (requires corrective actions)</li> </ul>	
<b>Auditor Discussion Instructions</b>	
<p>Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.</p>	

<b>115.11</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Document Review:</p> <ul style="list-style-type: none"> <li>• Texas Department of Criminal Justice Executive Directive Safe Prisons Program ED-03.03</li> <li>• Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>• Ferguson Unit Organizational Chart</li> <li>• Texas Department of Criminal Justice Unit Safe Prisons/PREA Manager PO-07.150</li> </ul> <p>Interviews:</p> <ul style="list-style-type: none"> <li>• Interview with agency PREA coordinator (ombudsman)</li> <li>• Interview with facility PREA</li> </ul> <p>Findings by Provision:</p>

	<p>115.11 (a)</p> <p>The Texas Department of Criminal Justice has a written policy, The Safe Prisons/PREA Plan, mandating zero tolerance toward all forms of sexual abuse and sexual harassment in facilities it operates directly or under contract. This is also illustrated in The Texas Department of Criminal Justice Executive Directive Safe Prisons Program.</p> <p>The Texas Department of Criminal Justice Safe Prisons/PREA Plan outlines how it will implement the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment. The policy includes definitions of prohibited behaviors regarding sexual abuse and sexual harassment. The policy includes sanctions for those found to have participated in prohibited behaviors. The policy includes a description of agency strategies and responses to reduce and prevent sexual abuse and sexual harassment of inmates.</p> <p>115.11 (c)</p> <p>The Ferguson Unit has designated a PREA compliance manager as illustrated in the unit organizational chart. The PREA compliance manager has sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards as demonstrated by the interview with the facility PREA Compliance Manger.</p> <p>Based upon information contained in the PAQ, policies, procedures and interviews conducted, the facility is substantially compliant with this standard.</p>
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<b>115.12</b>	<b>Contracting with other entities for the confinement of inmates</b>
	<b>Auditor Overall Determination:</b> Audited at Agency Level
	<b>Auditor Discussion</b>
	This auditor verified with the Texas Department of Criminal Justice PREA Ombudsman's Office that an agency-level audit was conducted on 9/15/2023.

<b>115.13</b>	<b>Supervision and monitoring</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	Document Review: <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Security Surveillance Systems 07.02</li> </ul>

- Texas Department of Criminal Justice Security Staffing Plan AD-1152
- Texas Department of Criminal Justice Security Operations Procedures Manual / Turnout Roster Management 08.01
- Texas Department of Criminal Justice Security Operations Annual Review of Turnout Rosters Procedures 08.06
- Texas Department of Criminal Justice Safe Prisons/PREA Plan
- Texas Department of Criminal Justice Ferguson Unit Staffing Plan
- Ferguson Unit Shift Rosters
- Multiple Ferguson Unit Participation Statements and Annual Staffing Plan Reviews
- Texas Department of Criminal Justice PO-07.003
- Texas Department of Criminal Justice PO-07.002
- Texas Department of Criminal Justice PO-07.004
- Texas Department of Criminal Justice PO-07.005
- Example Shift Rosters

Interviews:

- Interview with facility warden
- Interview with the facility PREA compliance manager
- Interviews random staff interviews
- Interviews with random offenders

Site Review Observations:

- The auditor observed the number of staff, contractors, and volunteers present (including security and non-security staff) and staffing patterns during every shift.
- The auditor observed staff line of sight and assess whether there are blind spots.
- The auditor observed areas where persons confined in the facility are not allowed to determine whether movement in and out of that space is monitored.
- The auditor observed the level of supervision and frequency of cell checks in housing areas where confined persons are double-celled, in dormitories, or in holding pens with more than one person.
- The auditor observed indirect supervision practices, including camera placement.

Findings by Provision:

115.13 (a)

The TDCJ requires each facility it operates to develop, document, and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect offenders against abuse as evidenced by the provided staffing development plan process, the Ferguson Unit Staffing Plan and interviews conducted with the Warden and PREA Compliance Manager.

115.13 (b)

Each time the staffing plan is not complied with, the facility documents and justifies all deviations from the staffing plan. This was evidenced by the provided shift rosters, interview with the Warden, site review observations and informal interviews with staff and offenders.

115.13 (c)

At least once every year the facility, in collaboration with the PREA Coordinator, reviews the staffing plan to see whether adjustments are needed to: (a) the staffing plan, (b) the deployment of monitoring technology, or (c) the allocation of facility/ agency resources to commit to the staffing plan to ensure compliance with the staffing plan.

During the pre-audit process this auditor reviewed multiple Ferguson Unit Annual Staffing Plans Reviews and multiple Participation Statements.

The auditor also conducted an interview with the facility Warden who confirmed compliance with this provision.

115.13 (d)

The Texas Department of Criminal Justice requires intermediate-level or higher-level staff conduct unannounced rounds to identify and deter staff sexual abuse and sexual harassment. The Texas Department of Criminal Justice Safe Prisons/PREA Plan provides guidance to all of its facilities.

The Ferguson Unit provided post orders for its intermediate-level and higher-level supervisors illustrating the requirement of unannounced rounds on all shifts and the prohibition from alerting staff members.

The auditor conducted interviews with intermediate- and higher-level facility staff confirming compliance with this provision.

The Ferguson Unit provided documentation of completed unannounced rounds for all shifts at the facility confirming compliance with this provision.

Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with this standard.

<b>115.14 Youthful inmates</b>
<b>Auditor Overall Determination:</b> Meets Standard
<b>Auditor Discussion</b>
<p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Youthful Inmate Statement of Fact</li> <li>· Current Offender Rosters</li> </ul> <p>Site Review Observations:</p> <ul style="list-style-type: none"> <li>· The auditor observed the entire facility and found no evidence of youthful offenders housed at the facility.</li> </ul> <p>Findings by Provision:</p> <p>115.14 (a) (c)</p> <p>The Ferguson Unit does not house youthful offenders at the facility. This was confirmed through offender rosters, informal interviews with staff and an informal interview with the PREA Compliance Manager.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with this standard.</p>

<b>115.15 Limits to cross-gender viewing and searches</b>
<b>Auditor Overall Determination:</b> Meets Standard
<b>Auditor Discussion</b>
<p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Administrative Directive Searches AD-03.22</li> <li>· Texas Department of Criminal Justice 115.15 Statement of Fact</li> <li>· Texas Department of Criminal Justice Post Order Examples</li> <li>· Texas Department of Criminal Justice In-Service Training Program Training Blocks</li> <li>· Texas Department of Criminal Justice Training Records and Database ED-12.10</li> <li>· Texas Department of Criminal Justice Training and Staff Development PD-97</li> </ul> <p>Interviews:</p>

- Interviews with random staff
- Interviews with transgender/intersex offenders
- Interviews with random staff
- Interviews with random offenders

Site Review Observations:

- The auditor observed areas used to conduct strip searches, visual body cavity searches, and pat-down searches and assess whether opposite-gender staff (i.e., non-medical personnel) can watch the conduct of a strip search or visual body cavity search (absent exigent circumstances).
- The auditor observed all areas where confined persons may be in a state of undress, such as showering, using the toilet, and/or changing their clothes.
- The auditor observed if any nonmedical staff of the opposite gender are able to view confined persons in a state of undress, including from different angles and via mirror placement.
- The auditor observed electronic surveillance monitoring areas such as control rooms or other spaces where staff monitor live or recorded video feeds of confined persons (e.g., via camera feed) and determine if:
  - o Opposite-gender staff are assigned to monitor video surveillance (recorded or live) (e.g., male staff viewing female confined persons).
  - o The video monitoring technology allows for point, tilt, zoom (PTZ) capabilities which could allow staff to see confined persons in a state of undress.
  - o The facility uses any type of software (e.g., pixelation or blurring) or other mechanisms (e.g., post-its, tape) to obscure cross-gender viewing of confined persons in a state of undress.
- The auditor observed the method(s) used to alert individuals confined in the facility that an opposite-gender staff person has entered a housing unit/area where they are likely to be in a state of undress.
- The auditor observed whether the alert method(s) is sufficient to alert persons confined in the facility that an opposite-gender staff person will be entering the housing unit and allow them to cover-up and determine whether:
  - o The alert is loud enough for all of the confined persons in the housing unit/area to hear.
  - o The time between the alert and the staff person's arrival provides enough time for confined persons to cover up before the staff enter the area.
  - o The alert is provided in such a manner that confined persons with disabilities (e.g.,

persons who are Deaf or hard of hearing, Blind or have low vision, or those who are cognitively or functionally disabled (including intellectual, psychiatric, or speech disabilities)) are also properly alerted to staff of the opposite-gender in the housing unit.

Findings by Provision:

115.15 (a)

The Ferguson Unit does not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners. Agency policies on searches and the Safe Prisons/PREA Plan prohibit this practice absent of exigent circumstances.

During the site review process, the auditor confirmed through observations that staff of the opposite gender were not conducting cross-gender strip searches or visual body cavity searches.

The auditor conducted informal interviews with offenders at the facility which further confirmed compliance with this provision.

115.15 (b)

The facility does not permit cross-gender pat-down searches of female offenders, absent exigent circumstances.

The auditor reviewed agency search policy which illustrated compliance with this provision.

During the site review process the auditor confirmed through observation that the facility incarcerated male offenders.

115.15 (c)

The facility documents all cross-gender strip searches and cross-gender visual body cavity searches, and documents all cross-gender pat-down searches of female offenders.

The auditor reviewed agency search policy and visually confirmed there were no female offenders housed at this facility which illustrated compliance with this provision.

115.15 (d)

The facility has implemented policies and procedures that enable offenders to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks (this includes viewing via video camera).

The auditor reviewed agency search policy and examples of facility post orders which prohibited cross-gender viewing and illustrated compliance with this provision.

The auditor conducted interviews with at least 20 random offenders throughout the facility. Overwhelmingly, offenders confirmed that they were able to shower and use perform bodily functions without staff of opposite gender viewing them in a state of undress.

The auditor conducted interviews with at least 12 random staff throughout the facility. All staff interviewed stated that they felt that offenders had as much privacy as could be afforded in the style of facility that Ferguson Unit was created.

During the site review process this auditor concluded that offenders were provided sufficient privacy while showering and performing bodily functions and there were no apparent concerns of cross-gender viewing by non-medical staff of the opposite gender.

#### 115.15 (e)

Texas Department of Criminal Justice search policy prohibits searching or physically examining a transgender or intersex offender for the sole purpose of determining the offender's genital status. If the offender's genital status is unknown, it may be determined during conversations with the offender, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner.

The auditor conducted interviews with at least 12 random staff throughout the facility who confirmed they were prohibited from searching transgender intersex offender for the sole purpose of determining the offender's genital status.

The auditor conducted interviews with 1 transgender/intersex offender at the facility. This individual reported that they had not been searched in this manner solely to determine their genital status.

#### 115.15 (f)

The Texas Department of Criminal Justice Safe Prisons/ PREA Plan dictates that the agency shall train security staff in how to conduct cross-gender pat-down searches, and searches of transgender and intersex offenders, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

The auditor conducted a review of the provided training curricula given to staff at varying levels within the agency. Based on the training curricula provided and methods the facility uses to track staff training compliance, the facility is in compliance with this provision.

The auditor conducted at least 12 interviews with random staff throughout the facility, all of which confirming they has received the required training under this provision.

Based upon information contained in the PAQ, policies, procedures, site review and

	interviews conducted, the facility is substantially compliant with this standard.
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<b>115.16</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Intake Procedures 6.05</li> <li>· Texas Department of Criminal Justice Intake Procedures / Initial Orientation 1.10</li> <li>· Texas Department of Criminal Justice Health Services Liaison Facility Types List</li> <li>· Texas Department of Criminal Justice Offenders with Special Needs G.51.1</li> <li>· Texas Department of Criminal Justice Referral of Offenders to the Developmental Disabilities Program A-08.3</li> <li>· Texas Department of Criminal Justice Certified American Sign Language Interpreter Services G-51.5</li> <li>· Limited English Proficient Offender Rosters</li> </ul> <p>Interviews:</p> <ul style="list-style-type: none"> <li>· Interviews with offenders with disabilities or who are limited English proficient</li> <li>· Interviews with random staff</li> </ul> <p>Site Review Observations:</p> <ul style="list-style-type: none"> <li>· The auditor tested the facility’s process for securing interpretation services on-demand.</li> <li>· The auditor determined if persons confined in the facility must self-identify (e.g., enter pin, provide name/ID number) to access interpretation services. This is important to understand related to anonymous reporting or confidential access to emotional support services.</li> <li>· The auditor assessed the availability of interpretation services (e.g., ability to access immediate interpretation services).</li> <li>· The auditor assessed the accessibility of interpretation services (i.e., available to all persons confined in the facility who need an interpreter, including persons</li> </ul>

confined in restricted housing).

· The auditor the location of interpretation services (e.g., are services provided in a location that provides some privacy for the persons confined in the facility?).

Findings by Provision:

115.16 (a)

The Texas Department of Criminal Justice Safe Prisons/PREA Plan takes appropriate steps to ensure that offenders with disabilities (including, for example, offenders who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities) have an 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. Such steps shall include, when necessary to ensure effective communication with offenders who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. In addition, the agency shall ensure that written materials are provided in formats or through methods that ensure effective communication with offenders with disabilities, including offenders who have intellectual disabilities, limited reading skills, or who are blind or have low vision. An agency is not required to take actions that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity, or in undue financial and administrative burdens, as those terms are used in regulations promulgated under title II of the Americans with Disabilities Act, 28 CFR 35.164.

The auditor reviewed policies on facility intake procedures initial orientation, special needs offenders, referrals to offenders with developmental disabilities and sign language interpretation services offered by the facility.

The auditor interviewed at least 4 offenders who were considered limited English proficient. Two of the offenders indicated they were provided information in a language that they could understand and they were aware of available interpretation services. The auditor was unable to interview any offenders that were considered disabled because of a lack of population at the facility.

During the site review process the auditor visually observed PREA signage in every housing unit that was available in Spanish, the second most commonly spoken language at the facility. The auditor was also able to test the on-demand access to telephone interpretation services which worked perfectly.

115.16 (b)

The Texas department of Criminal Justice Safe Prisons/PREA plan dictates that the agency shall reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to offenders who are limited English proficient, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both

	<p>receptively and expressively, using any necessary specialized vocabulary.</p> <p>The auditor reviewed additional policies and documentation of print policy formats, interpreter guides and braille versions of educational materials available to offenders who are considered limited English proficient and/or visually disabled.</p> <p>115.16 (c)</p> <p>The Texas Department of Criminal Justice Safe Prisons/PREA Plan prohibits use of offender interpreters, offender readers, or other types of offender assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the offender's safety, the performance of first-response duties under §115.64, or the investigation of the offender's allegations.</p> <p>The auditor conducted interviews with at least 12 random staff throughout the facility. All staff indicated they would not use offender interpreters or readers absent of exigent circumstances that would lead to an extended delay in obtaining an effective interpreter.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with this standard.</p>
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<b>115.17</b>	<b>Hiring and promotion decisions</b>
	<b>Auditor Overall Determination:</b> Audited at Agency Level
	<b>Auditor Discussion</b>
	This auditor verified with the Texas Department of Criminal Justice PREA Ombudsman's Office that an agency-level audit was conducted on 9/15/2023.

<b>115.18</b>	<b>Upgrades to facilities and technologies</b>
	<b>Auditor Overall Determination:</b> Audited at Agency Level
	<b>Auditor Discussion</b>
	This auditor verified with the Texas Department of Criminal Justice PREA Ombudsman's Office that an agency-level audit was conducted on 9/15/2023.

<b>115.21</b>	<b>Evidence protocol and forensic medical examinations</b>
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**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Document Review:

- Texas Department of Criminal Justice Safe Prisons/PREA Plan
- Texas Department of Criminal Justice Evidence Handling AD-16.03
- Texas Department of Criminal Justice Offender Sexual Assault Investigations 7.13
- Texas Department of Criminal Justice Sexual Assault/Sexual Abuse G-57.1
- Texas Department of Criminal Justice Medical Notes Examples
- Texas Department of Criminal Justice Memorandum of Understanding with The Brazos Valley Rape Crisis Center
- Texas Department of Criminal Justice Inter-Office Communication/Offender Victim Representatives
- Texas Department of Criminal Justice Offender Victim Representative Safe Prisons/PREA Operations Manual 02.02
- Texas Department of Criminal Justice Inspector General Policy Statement BP-01.07

Interviews:

- Interviews with random staff
- Interview with the facility PREA compliance manager
- Interviews with offenders who reported sexual abuse

Findings by Provision:

115.21 (a)

The Texas Department of Criminal Justice Safe Prisons/PREA Plan and Evidence Handling policy outlines how the agency follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions.

The PAQ reported that criminal investigations are conducted by the Office of the Inspector General.

The auditor interviewed at least 12 random staff throughout the facility all of which were able to articulate the how the facility obtains useable physical evidence and were aware of what the agency's coordinated response plan was to incidents of sexual abuse and sexual harassment.

115.21 (b)

The Texas Department of Criminal Justice Offender Sexual Assault Investigations Policy has developed a protocol appropriate for youth where applicable, and, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents."

115.21 (c)

The Texas Department of Criminal Justice policies on Offender Sexual Assault Investigations and Sexual Assault/Sexual Abuse dictates that all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The agency shall document its efforts to provide SAFEs or SANEs.

The auditor also reviewed the provided medical notes which illustrated instances where offenders were provided SAFE/SANE exams when medically appropriate.

According to the information provided in the PAQ, the facility provided 3 SAFE/SANE exams to offenders in the past 12 months.

115.21 (d)

The Texas Department of Criminal Justice Safe Prisons/PREA Plan dictates that the agency attempts to make available to the victim a victim advocate from a rape crisis center. If a rape crisis center is not available to provide victim advocate services, the agency makes available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member. Agencies shall document efforts to secure services from rape crisis centers.

The auditor reviewed to provided MOU with Brazos Valley Rape Crisis Center, which would have provided a victim advocate to the facility in instances of sexual abuse incidents. However, it was discovered during the onsite portion of the audit that the MOU was not fully established between both entities. The facility did provide the auditor with the list of qualified staff members who could serve as victim advocates. The Ferguson Unit utilizes the facility chaplain to serve in this role. The chaplain has successfully completed this specialized training.

The auditor interviewed the facility PREA compliance manager who confirmed the chaplain provided victim advocacy for the offenders. She also confirmed that they attempted to enter into an MOU with Brazos Valley but that they never were able to fully initiate the agreement.

115.21 (e)

The Texas Department of Criminal Justice Safe Prisons/PREA Operational Manual for

	<p>Offender Victim Representatives requires that, if requested by the victim, the victim advocate, qualified agency staff member, or qualified community-based organization staff member shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information, and referrals.</p> <p>The auditor interviewed the PREA compliance manager who confirmed that victim advocacy was provided at the facility by the chaplain.</p> <p>115.21 (f)</p> <p>The Texas Department of Criminal Justice Inspector General Policy Statement and OIG Sexual Assault Investigations policy outline and requirement to follow all the provisions as previously outlined in this standard.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with this standard.</p>
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<b>115.22</b>	<b>Policies to ensure referrals of allegations for investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Sexual Abuse Response Investigation 05.01</li> <li>· Texas Department of Criminal Justice Reporting Incidents/Crimes to the Office of the Inspector General AD-16.20</li> <li>· Criminal and Administrative Investigations</li> <li>· Texas Department of Criminal Justice Inspector General Policy Statement BP-01.07</li> <li>· Texas Department of Criminal Justice Operations of the Emergency Action Center and Reporting Procedures for Serious or Unusual Incidents AD-02.15</li> </ul> <p>Interviews:</p> <ul style="list-style-type: none"> <li>· Interviews with OIG investigative staff</li> </ul> <p>Findings by Provision:</p> <p>115.22 (a)</p> <p>The Texas Department of Criminal Justice Safe Prisons/PREA Plan, Sexual Abuse</p>

Response and Investigation and Reporting Incidents/Crimes to the Office of the Inspector General policies ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment (including offender-on-offender sexual abuse and staff sexual misconduct).

The facility reported in the PAQ that over the past 12 months, they have received 62 allegations of sexual abuse and sexual harassment and that allegations were investigated either criminally or administratively.

115.22 (b) (c)

The Texas Department of Criminal Justice Inspector General Policy Statement BP-01.07 and Operations of the Emergency Action Center and Reporting Procedures for Serious or Unusual Incidents ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior. Additionally, TDCJ publishes this information to the agency external website.

The auditor interviewed and criminal investigator under the OIG. The investigator confirmed all criminal investigations are referred to the OIG who has the legal authority to investigate those offenses.

The auditor confirmed through a review of the Texas Department of Criminal Justice website that these policies are publicly available.

Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with this standard.

115.31	<b>Employee training</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<b>Auditor Discussion</b>
	<p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice On-The-Job Training Program SM-02.25</li> <li>· Texas Department of Criminal Justice Training and Staff Development PD-97</li> <li>· Texas Department of Criminal Justice Safe Prison/PREA Plan</li> <li>· Texas Department of Criminal Justice Correctional Awareness /Staff Survivor Training</li> <li>· Texas Department of Criminal Justice Sexual Misconduct with Offenders PD-29</li> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Program Pre-Service</li> </ul>

## Training

- Texas Department of Criminal Justice Safe Prisons/PREA Program In-Service Supervisor Training
- Texas Department of Criminal Justice Safe Prisons Gender Specific Training
- Texas Department of Criminal Justice Safe Prisons/PREA Plan Unit Safe Prisons /PREA Program Awareness Training 06.01

## Interviews:

- Interviews with random staff

## Site Review Observations:

- Staff training examples

## Findings by Provision:

### 115.31 (a)

The Texas Department of Criminal Justice trains all employees who may have contact with offenders on:

1. Its zero-tolerance policy for sexual abuse and sexual harassment.
2. How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures.
3. Offenders' rights to be free from sexual abuse and sexual harassment.
4. The right of offenders and employees to be free from retaliation for reporting sexual abuse and sexual harassment.
5. The dynamics of sexual abuse and sexual harassment in confinement.
6. The common reactions of sexual abuse and sexual harassment victims.
7. How to detect and respond to signs of threatened and actual sexual abuse.
8. How to avoid inappropriate relationships with offenders.
9. How to communicate effectively and professionally with offenders, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming offenders.
10. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities

The auditor interviewed at least 12 random staff throughout the facility, all of which confirming they received training as outlined in items 1 through 10 of this provision.

	<p>The auditor also reviewed training records of staff and training modules provided by the facility illustrating compliance with all the requirements of this provision in its entirety.</p> <p>115.31 (b)</p> <p>The Texas Department of Criminal Justice training is tailored to the gender of the offenders at the employee’s facility. All employees receive additional training if they are reassigned from a facility that houses only female offenders, or vice versa. The auditor reviewed the Safe Prisons PREA training modules, the On-the-Job Training Program and the On-the-Job Training Program which illustrated policy compliance with this provision.</p> <p>115.31 (c)</p> <p>The Texas Department of Criminal Justice provides each employee with refresher training every two years to ensure that all employees know the agency’s current sexual abuse and sexual harassment policies and procedures. In years in which an employee does not receive refresher training, the agency shall provide refresher information on current sexual abuse and sexual harassment policies. This was evidenced by information contained in the Safe Prisons/PREA Program Awareness training.</p> <p>The facility also reported in the PAQ that employees are required to take refresher training minimally on an annual basis.</p> <p>115.31 (d)</p> <p>The Texas Department of Criminal Justice through employee signature or electronic verification, that employees understand the training they have received. This was illustrated through examples of employee training records provided by the facility.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility substantially exceeds the requirements of this standard.</p>
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<b>115.32</b>	<b>Volunteer and contractor training</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons Sexual Assault Training Module</li> </ul>

- Texas Department of Criminal Justice Training for Medical and Mental Health Staff
- Texas Department of Criminal Justice Handbook for Volunteers
- Texas Department of Criminal Justice Volunteer Services Training Program / Volunteer Training
- Texas Department of Criminal Justice Safe Prisons/PREA Plan Video Script
- Texas Department of Criminal Justice Safe Prisons/PREA Plan Windham Annual Security Training
- Texas Department of Criminal Justice Sexual Misconduct with Offenders PD-29

Interviews:

- Interviews with volunteers/contractors who have contact with offenders

Site Review Observations:

- Training records of volunteers and contractors who have contact with offenders

Findings by Provision:

115.32 (a)

The Texas Department of Criminal Justice ensures that all volunteers and contractors who have contact with offenders have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. This was evidenced by the training policies and, volunteer handbook and provided training modules required of all volunteers and contractors.

The auditor interviewed 1 volunteer and 2 contractors at the facility. All individuals interviewed acknowledged that they are required and have successfully completed training on their responsibilities under the agency's sexual abuse and sexual harassment policies.

The auditor also reviewed training records of volunteers, contractors and training modules provided by the facility illustrating compliance with all the requirements of this provision in its entirety.

The facility provided in the PAQ that there were a total of 242 volunteers and contractors, who may have contact with offenders, who have been trained in agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response.

115.32 (b)

The Texas Department of Criminal Justice ensure the level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with offenders, but all volunteers and contractors who have contact with offenders are notified of the agency's zero-tolerance policy regarding

	<p>sexual abuse and sexual harassment and informed how to report such incidents.</p> <p>The auditor interviewed 1 volunteer and 2 contractors at the facility. All individuals interviewed acknowledged that they are required and have successfully completed training on their responsibilities under the agency's sexual abuse and sexual harassment policies.</p> <p>115.32 (c)</p> <p>The Texas Department of Criminal Justice maintains documentation confirming that volunteers and contractors understand the training they have received.</p> <p>The auditor reviewed training records of volunteers and contractors illustrating they understand the training they have received.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.33</b>	<b>Inmate education</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Unit Classification Procedure Orientation Procedures 5.00</li> <li>· Texas Department of Criminal Justice Intake Procedures Initial Orientation 1.10</li> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Offender Sexual Abuse Awareness Training 06.02</li> <li>· Texas Department of Criminal Justice Ferguson Unit Safe Prisons/PREA Information Packet</li> <li>· Texas Department of Criminal Justice Requests for Offender Inter-Facility Transfers AD-03.74</li> <li>· Texas Department of Criminal Justice Quick Reference Guide to Access an Interpreter</li> <li>· Texas Department of Criminal Justice Qualified Spanish Interpreter Guidelines SM-05.50</li> </ul>

- Texas Department of Criminal Justice Certified American Sign Language Interpreter Services G-51.5
- Texas Department of Criminal Justice Offenders with Special Needs G.51.1
- Texas Department of Criminal Justice Referrals of Offenders to the Developmental Disabilities Program A-08.3
- Documentation of offender participation in education sessions

Interviews:

- Interviews with intake staff
- Interviews with random offenders

Site Review Observations

- The auditor confirmed who is responsible for conducting the intake process.
- The auditor tested how the facility provides the necessary PREA information to all confined persons, regardless of ability and language, including whether written information, if applicable, is clear and provided at an appropriate reading-level and is accessible for all persons confined in the facility, including those who are limited English proficient. The facility provides interpreters, when needed, to assist Deaf and non-English speaking persons confined in the facility. Staff are prepared to read written information out loud, if applicable, to make accommodations for persons confined in the facility when necessary. Mental health staff or other skilled educators/ staff are involved in providing the required information to confined persons with cognitive or functional disabilities.
- The auditor tested the facility's process for securing interpretation services on-demand via Language Line.
- The auditor determined that comprehensive PREA education is provided by both video and in-person. The auditor observed a live comprehensive PREA education session.
- The auditor assessed that the education provided included the required information as outlined in the Standards.
- The auditor assessed how the facility made the comprehensive education accessible to all persons confined in the facility (i.e., confined persons who are Deaf or hard-of-hearing, Blind or have low vision, cognitively or functionally disabled, limited English proficient, non-English speaking, and/or have limited reading skills).
- The auditor observed whether signage throughout the facility can be easily read/ accessed by persons in the facility, specifically; signage language is clear and easy to understand. Signage specific to services, such as emotional support services, civil immigration, and external reporting, should include language that clearly details what services are available and for what purposes.

- The auditor observed signage was provided in English and translated into Spanish. The signage text size, formatting, and physical placement accommodates most readers, including those of average height, low vision/visually impaired, or those physically disabled/in a wheelchair.

- The auditor observed that other PREA signage was posted in areas where staff and persons confined in the facility are able to read and retain the information being provided.

Findings by Provision:

115.33 (a)

The Texas Department of Criminal Justice ensures offenders receive information at time of intake about the zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment. The Safe Prisons/PREA Plan and Unit Orientation Procedures policies illustrate compliance with this requirement.

The PAQ reported that in the past 12 months, the facility has admitted 1636 offenders.

The auditor interviewed intake staff at the facility who articulated the PREA education process for offenders arriving to the facility. They also explained the process of educating those offenders who transfer in from other facilities.

115.33 (b)

The Texas Department of Criminal Justice requires that within 30 days of intake, the agency shall provide comprehensive education to offenders either in person or through video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents.

The PAQ reported over the past 12 months there were 1495 offenders, whose length of stay in the facility was for 30 days or more, received comprehensive education on their rights to be free from both sexual abuse and sexual harassment and retaliation for reporting such incidents and on agency policies and procedures for responding to such incidents within 30 days of intake.

The auditor interviewed intake staff who articulated the process used by the facility to ensure offenders received the required comprehensive PREA education and that the education was delivered within 30 days.

115.33 (c)

The Texas Department of Criminal Justice requires that offenders who are transferred from one facility to another be educated regarding their rights to be free from both sexual abuse and sexual harassment and retaliation for reporting such incidents and on agency policies and procedures for responding to such incidents, to the extent that the policies and procedures of the new facility differ from those of the previous

	<p>facility. This is illustrated in the Safe Prisons/PREA plan.</p> <p>The auditor interviewed intake staff who articulated the facility’s process of making certain offenders that are transferred from other facilities obtain the required PREA educational material.</p> <p>115.33 (d)</p> <p>The Texas Department of Criminal Justice provides offender education in formats accessible to all offenders, including those who are limited English proficient, deaf, visually impaired, otherwise disabled, as well as to offenders who have limited reading skills. The facility provided written guidance for staff to obtain on-demand interpretation services as well as training materials given to those offenders considered limited English proficient or otherwise disabled. The Safe Prisons/PREA Plan policy provides written guidance to staff on providing services to this offender population.</p> <p>115.33 (e)</p> <p>The Texas Department of Criminal Justice maintains documentation of offender participation in these education sessions.</p> <p>115.33 (f)</p> <p>The Texas Department of Criminal Justice ensures that key information about the agency's PREA policies is continuously and readily available or visible through posters, offender handbooks, or other written formats.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.34 Specialized training: Investigations</b>	
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Training and Staff Development PD-97</li> <li>· Texas Department of Criminal Justice Conducting a Thorough Investigation</li> <li>· Investigator training records</li> </ul> <p>Interviews:</p>

	<ul style="list-style-type: none"> <li>· Interviews with investigative staff</li> </ul> <p>Findings by Provision:</p> <p>115.34 (a)</p> <p>The Texas Department of Criminal Justice requires investigators are trained in conducting sexual abuse investigations in confinement settings. This requirement is illustrated in the Safe Prisons/PREA Plan and the Training and Staff Development policies.</p> <p>The auditor interviewed 3 investigators during the onsite portion of the audit. Interviews consisted of 1 administrative investigator, 1 criminal investigator and 1 criminal investigator supervisor. All investigator interviewed confirmed they had received specialized training on investigating sexual abuse in confinement setting. All investigators were able to specifically articulate what the specialized training consisted of.</p> <p>115.34 (b)</p> <p>The Texas Department of Criminal Justice provided specialized training includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.</p> <p>115.34 (c)</p> <p>The Texas Department of Criminal Justice maintains documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations.</p> <p>The PAQ reported there were a total of 41 investigators currently employed by the agency who have completed the required training.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.35</b>	<b>Specialized training: Medical and mental health care</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> </ul>

- Texas Department of Criminal Justice Orientation Training for Health Services Staff C-25.1
- Texas Department of Criminal Justice Continuing Education/Staff Development C-19.1
- Texas Department of Criminal Justice Training and Staff Development PD97
- Medical and mental health training records

Interviews:

- Interviews with medical and mental health staff

Findings by Provision:

115.35 (a)

The Texas Department of Criminal Justice requires that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: (1) How to detect and assess signs of sexual abuse and sexual harassment; (2) How to preserve physical evidence of sexual abuse; (3) How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and (4) How and to whom to report allegations or suspicions of sexual abuse and sexual harassment. This is illustrated in the Safe Prisons/PREA Plan, Orientation Training for Health Services Staff policies and Training and Staff Development policies.

The PAQ reported there were a total of 20 medical and mental health care practitioners who work regularly at this facility who received the training required by agency policy.

The PAQ also reported that 100 percent of all medical and mental health care practitioners who work regularly at this facility have received the training required by agency policy.

The auditor interviewed a medical and mental health practitioner during the onsite portion of the audit. Both individuals interviewed indicated they received specialized training as required under this provision.

115.35 (b)

The Ferguson Unit does not employ any medical staff at the facility that conduct forensic medical examinations. The facility reported that if there was a need to conduct such examinations, they would be completed at a hospital.

115.35 (c)

The Texas Department of Criminal Justice maintains documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere. Compliance with this provision was illustrated

	<p>in the provided PREA specialized training acknowledgments.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.41</b>	<b>Screening for risk of victimization and abusiveness</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan Operations Manual Offender Assessment for Risk of Victimization or Abusiveness 03.01</li> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Automated Network System Assessments User Guide</li> <li>· Texas Department of Criminal Justice Offender Assessment Screening Tool</li> <li>· Medical and mental health training records</li> </ul> <p>Interviews:</p> <ul style="list-style-type: none"> <li>· Interviews with risk screening staff</li> <li>· Interviews with random offenders</li> <li>· Interview with PREA coordinator</li> <li>· Interview with facility PREA compliance manager</li> </ul> <p>Site Review Observations:</p> <ul style="list-style-type: none"> <li>· The auditor attended a live risk screening of an offender at the facility.</li> <li>· The auditor confirmed the individuals responsible for conducting the risk screening process.</li> <li>· The auditor assessed that the screening process occurred in a setting that ensured as much privacy as possible given the potentially sensitive information that could be discussed.</li> <li>· The auditor assessed that screening staff ask screening questions in a manner that fostered comfort and elicited responses.</li> </ul>

- The auditor tested the method of assessing offenders to make certain the screening staff use an instrument to collect information during the risk screening process. Screening staff affirmatively ask offenders in the facility about their sexual orientation and gender identity by directly inquiring if they identify as LGBTI. Screening staff use additional sources of information, outlined in the Standards, to complete the initial risk screening assessment. Completion of the risk screening instrument returns a subsequent “score” or determination of risk of being sexually abused or being sexually abusive.
- The auditor observed the physical storage area of any information/ documentation collected and maintained in hard copy pursuant to the PREA Standards (e.g., risk screening information, medical records, sexual abuse allegations).
- The auditor observed electronic safeguards of any information/documentation collected and maintained electronically pursuant to the PREA Standards.

Findings by Provision:

115.41 (a)

The Texas Department of Criminal Justice requires that all offenders be assessed during an intake screening and upon transfer to another facility for their risk of being sexually abused by other offenders or sexually abusive toward other offenders. This is illustrated in the Safe Prisons/PREA Plan policy.

The auditor interviewed a staff member responsible for the offender risk screening process who confirmed that all offenders coming to the facility regardless of their prior location, are screened risk of being abused or being abusive towards others.

The auditor interviewed a minimum of 40 offenders during the onsite portion of the audit. Overwhelmingly offenders reported they went through a risk screening process when they arrived at the facility. Most offenders reported the risk screening occurred the day they arrived at the facility.

115.41 (b)

The Texas Department of Criminal Justice requires that the initial intake screening takes place ordinarily within 72 hours of their arrival at the facility. This is illustrated in the PREA Safe Prison/PREA Plan.

The PAQ reported there were a total of 1607 offenders that entered the facility within the last 12 months and whose length of stay was more than 72 hours. The facility reported that 100 percent of 1607 offenders were screened within 72 hours of their arrival.

The auditor interviewed risk screening staff at the facility who confirmed that risk screening occurs within 72 hours of entering the facility.

The auditor interviewed a minimum of 40 offenders during the onsite portion of the

audit. Most offenders interviewed reported receiving a risk screening within 72 hours of enter the facility.

115.41 (c)

The Texas Department of Criminal Justice conducts a risk assessment using an objective screening instrument. The facility provided a copy of the objective screening instrument which complies with this provision.

115.41 (d)

The Texas Department of Criminal Justice risk screening process considers at a minimum, whether the offender has a mental, physical, or developmental disability; (2) The age of the offender; (3) the physical build of the offender; (4) whether the offender has previously been incarcerated; (5) whether the offender's criminal history is exclusively nonviolent; (6) whether the offender has prior convictions for sex offenses against an adult or child; (7) whether the offender is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming; (8) whether the offender has previously experienced sexual victimization; (9) The offender's own perception of vulnerability; and (10) whether the offender is detained solely for civil immigration purposes.

The auditor interviewed risk screening staff at the facility who confirmed the risk screening tool covers all the required questions under this provision. The risk screening staff shared the physical copy of the risk screening tool with the auditor for review during live risk screening with an offender.

115.41 (e)

The Texas Department of Criminal Justice risk screening tool considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to the agency, in assessing offenders for risk of being sexually abusive.

115.41 (f)

The Texas Department of Criminal Justice requires that the facility reassess each offender's risk of victimization or abusiveness within a set time period, not to exceed 30 days after the offender's arrival at the facility, based upon any additional, relevant information received by the facility since the intake screening. This requirement is illustrated in the Safe Prisons/PREA Plan and the Safe Prisons/PREA Plan Operations Manual Offender Assessment for Risk of Victimization or Abusiveness policies.

The auditor interviewed staff responsible for the risk screening who confirmed the required to reassess offender within 30 days.

The auditor interviewed a minimum of 40 offenders during the onsite portion of the audit. Overwhelmingly, offenders reported they remembered receiving a follow-up interview with staff within 30 days of their arrival.

115.41 (g)

The Texas Department of Criminal Justice requires an offender's risk level shall be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the offender's risk of sexual victimization or abusiveness. This requirement is illustrated in the Safe Prisons/PREA Plan and the Safe Prisons/PREA Plan Operations Manual Offender Assessment for Risk of Victimization or Abusiveness policies.

The auditor interviewed staff responsible for the risk screening process who confirmed compliance with requirements of this provision.

115.41 (h)

The Texas Department of Criminal Justice strictly prohibits disciplining offenders for refusing to answer (or for not disclosing complete information related to) questions regarding: (a) whether or not the offender has a mental, physical, or developmental disability; (b) whether or not the offender is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender non-conforming; (c) whether or not the offender has previously experienced sexual victimization; and (d) the offender's own perception of vulnerability. This prohibition is illustrated in the Safe Prisons/PREA Operations Manual Offender Assessment for Risk of Victimization or Abusiveness policy.

The auditor interviewed staff responsible for the risk screening process who confirmed that offenders are never disciplined for failing to disclose or not providing complete information during the risk screening process.

115.41 (i)

The auditor interviewed the agency PREA coordinator regarding who has access to sensitive information related to the risk screening process. The PREA coordinator indicated that they have implemented multiple safeguards to limit unauthorized access to information obtained during the risk screening process.

The auditor interviewed the facility PREA compliance manager who also confirmed that risk screening staff and facility leadership are the only individuals who are authorized to utilize risk screening information to make informed safety decisions for offenders. All electronic records require password authorization to access.

Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.

<b>115.42</b>	<b>Use of screening information</b>
	<b>Auditor Overall Determination:</b> Meets Standard

## Auditor Discussion

### Document Review:

- Texas Department of Criminal Justice Safe Prisons/PREA Plan
- Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Inmate Assessment for Risk of Victimization or Abusiveness 03.01
- Texas Department of Criminal Justice SPPANS Assessment User Guide
- Texas Department of Criminal Justice Unit Classification Procedure Offender Housing Assignments 4.00

### Interviews:

- Interview with PREA compliance manager
- Interviews with staff responsible for risk screening
- Interview with a transgender offender
- Interviews with gay/bisexual offenders

### Findings by Provision:

#### 115.42 (a)

The Texas Department of Criminal Justice uses information from the risk screening required by § 115.41 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those offenders at high risk of being sexually victimized from those at high risk of being sexually abusive. This is illustrated in the Safe Prisons/PREA Plan and the Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Inmate Assessment for Risk of Victimization or Abusiveness.

The auditor interviewed the facility PREA compliance manager who explained the process the facility uses to separate those offenders at high risk of victimization from those offenders at high risk of being sexually abusive. Housing assignments, bed assignments, work assignments, education assignments and programs assignments are all part of the risk screening process.

The auditor interviewed a staff member responsible for the risk screening process who explained how the facility makes individualized determinations to ensure offender safety.

#### 115.42 (b)

The Texas Department of Criminal Justice requires the agency to make individualized determinations about how to ensure the safety of each offender. This is illustrated the Safe Prisons/PREA Plan and in the Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Inmate Assessment for Risk of Victimization or

Abusiveness.

The auditor interviewed 1 transgender offender during the onsite portion of the audit. The offender reported that staff initially questioned them about safety concerns at the facility. This included concerns related to programming, work and education. The offender also reported they were not placed in a housing area specifically for transgender or intersex offenders.

115.42 (c)

The Texas Department of Criminal Justice requires that when the facility is making housing and programming assignments, the facility shall consider on a case-by-case basis whether a placement of a transgender or intersex offender would present management or security problems. This is illustrated in the Safe Prisons/PREA Plan and in the Texas Department of Criminal Justice Unit Classification Procedure Offender Housing Assignments policies.

The auditor interviewed the facility PREA compliance manager. She reported the facility always considers whether a placement of a transgender or intersex offender will ensure the offender's health and safety and if that placement would present management or security problems.

115.42 (d)

The Texas Department of Criminal Justice requires that placement and programming assignments for each transgender or intersex offender shall be reassessed at least twice each year to review any threats to safety experienced by the offender. This requirement is outlined in the Safe Prisons/PREA Plan

115.42 (e)

The Texas Department of Criminal Justice mandates that a transgender or intersex offender's own views with respect to his or her own safety shall be given serious consideration. This requirement is illustrated in the Safe Prisons/PREA Plan.

115.42 (f)

The Texas Department of Criminal Justice allow transgender or intersex offenders the opportunity to shower separately from other offenders. This is illustrated in the Safe Prisons/PREA Plan.

An interview was conducted with the facility PREA compliance manager. She reported that all transgender and intersex offenders are given the opportunity to shower separately from other offenders. She explained there is a shower in the medical unit which is available to them upon request.

115.42 (g)

The Texas Department of Criminal Justice prohibits placing lesbian, gay, bisexual, transgender, or intersex offenders in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility,

	<p>unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such offenders. This is illustrated in the Safe Prisons/PREA Plan.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.43 Protective Custody</b>	
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Restrictive Housing Log</li> <li>· Texas Department of Criminal Justice Protective Safekeeping Plan</li> </ul> <p>Interviews:</p> <ul style="list-style-type: none"> <li>· Interview with the facility warden</li> <li>· Interviews with staff who supervise offenders in segregated housing</li> </ul> <p>Findings by Provision:</p> <p>115.43 (a)</p> <p>The Texas Department of Criminal Justice prohibits the placement of offenders 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. This is illustrated in the Safe Prisons/PREA Plan.</p> <p>The PAQ reported there were a total of zero offenders at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months awaiting completion of assessment.</p> <p>The auditor interviewed the facility warden who also confirmed that offenders are prohibited by policy to be placed in segregated housing because they have been identified at risk of sexual victimization.</p> <p>115.43 (b)</p> <p>The Texas Department of Criminal Justice requires that offenders placed in segregated</p>

	<p>housing for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If the facility restricts access to programs, privileges, education, or work opportunities, the facility shall document: (1) the opportunities that have been limited; (2) the duration of the limitation; and (3) the reasons for such limitations. These requirements are illustrated in the Safe Prisons/ PREA Plan.</p> <p>The auditor interviewed 2 staff members that supervise offenders in segregated housing. They both indicated that if an offender was placed in segregated housing for risk of victimization, they will still be afforded the same out of cell, work, education and programming opportunities as other offenders.</p> <p>115.43 (c)</p> <p>The PAQ reported that in the past 12 months the facility had zero offenders at risk of sexual victimization that were assigned to segregated housing for longer than 30 days while awaiting alternative placement.</p> <p>The auditor interviewed the facility warden who confirmed if offenders are placed in segregated housing they are only placed there until alternative means of separation from likely abusers can be arranged. Offenders are placed in a transient status for brief periods of time.</p> <p>115.43 (e)</p> <p>The Texas Department of Criminal Justice requires that every 30 days, the facility shall afford each such offender a review to determine whether there is a continuing need for separation from the general population. This is illustrated in the Texas Department of Criminal Justice Protective Safe Keeping Plan.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.51</b>	<b>Inmate reporting</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual 02.03</li> <li>· Texas Department of Criminal Justice Executive Directive Prison Rape Elimination Act Complaints and Inquiries ED-02.10</li> </ul>

- Texas Department of Criminal Justice Board Policy Prison Rape Elimination Act Ombudsman Policy Statement BP-02.09
- Texas Department of Criminal Justice Statement of Fact Related to 115.51
- Texas Department of Criminal Justice Executive Directive Sexual Misconduct with Inmates PD-29

Interviews:

- Interviews with random staff
- Interviews with random offenders
- Interview with the facility PREA compliance manager

Site Review Observations:

- The auditor observed signage throughout the facility can be easily read/accessed by persons in the facility. Specifically, signage related to services, such as emotional support services, civil immigration, and external reporting, should include language that clearly details what services are available and for what purposes. Signage is provided in English and Spanish. The signage text size, formatting, and physical placement accommodates most readers, including those of average height, low vision/visually impaired, or those physically disabled/in a wheelchair. The information provided by the signage is not obscured, unreadable by graffiti, or missing due to damage.
- The auditor observed whether the information on the signage is accurate and consistent throughout the facility.
- The auditor observed where signage is placed in the facility to assess whether the signage is accessible to staff and/or those confined in the facility and other persons who may need the information or services provided. Specifically, how to report sexual abuse and/or sexual harassment.
- The auditor tested all available procedures offenders have available to report instances of sexual abuse and sexual harassment, both verbally and in writing.
- The auditor assessed the accessibility of writing instruments for persons confined in the facility.
- The auditor observed how mail moves from confined persons to the mailroom and assessed whether placement of mail drop boxes/receptacles are located in areas accessible to all persons confined in the facility.
- The auditor assessed the security of written communication.
- The auditor tested a staff person to walk through the staff reporting method(s) provided by the facility.

- The auditor observed whether the staff reporting method is available, on demand, to all staff in the facility.
- The auditor assessed whether staff are required to report to their direct colleagues or their immediate supervisor.

Findings by Provision:

115.51 (a)

The Texas Department of Criminal Justice has established procedures allowing for multiple internal ways for offenders to report privately to agency officials about: (a) sexual abuse or sexual harassment; (b) retaliation by other offender or staff for reporting sexual abuse and sexual harassment; and (c) staff neglect or violation of responsibilities that may have contributed to such incidents. These requirements are illustrated in the Safe Prisons/PREA plan and The Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual.

The auditor interviewed minimally 12 random staff throughout the facility.

Overwhelmingly, staff were able to articulate the multiple methods that offenders at the facility have the ability to privately report incidents of sexual abuse and sexual harassment.

The auditor interviewed at least 40 offenders during the onsite portion of the audit.

Almost all offenders interviewed were able to articulate several ways to report sexual abuse and sexual harassment to the facility or to the PREA ombudsman's office.

The PAQ reported that in the past 12 months there have been zero contractors or volunteers reported to law enforcement agencies and relevant licensing bodies for engaging in sexual abuse of offenders.

115.51 (b)

The Texas Department of Criminal Justice provides at least one way for offenders to report abuse or harassment to a public or private entity or office that is not part of the agency, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the offender to remain anonymous upon request. This requirement is illustrated in The Texas Department of Criminal Justice Executive Directive Prison Rape Elimination Act Complaints and Inquiries and The Texas Department of Criminal Justice Board Policy Prison Rape Elimination Act Ombudsman Policy Statement.

The auditor interviewed the facility PREA compliance manager who articulated the process offenders have to report incidents of sexual abuse and sexual harassment and remain anonymous upon request. The reporting mechanism is the PREA ombudsman's office, which is a separate entity within the State of Texas. She explained that this office had the ability to receive and immediately report allegations to the facility for investigation.

115.51 (c)

	<p>The Texas Department of Criminal Justice requires that staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports. This is illustrated in The Texas Department of Criminal Justice Executive Directive Sexual Misconduct with Inmates policy.</p> <p>The auditor interviewed minimally 12 random staff members, all of which reported that offenders can make reports either verbally, in writing or from third parties. Staff also conveyed that all verbal reports made by offenders must be documented and that this information must be documented immediately.</p> <p>115.51 (d)</p> <p>The Texas Department of Criminal Justice dictates that the agency has established procedures for staff to privately report sexual abuse and sexual harassment of offenders. This is illustrated in The Texas Department of Criminal Justice Executive Directive Sexual Misconduct with Inmates policy.</p> <p>The PAQ reported that staff can privately report outside of their chain-of-command to the PREA ombudsman’s office.</p> <p>The auditor interviewed minimally 12 random staff throughout the facility. Most staff were aware that there was a private way to report allegations of sexual abuse and sexual harassment outside their chain-of-command but most reported they will still report incidents locally.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.52</b>	<b>Exhaustion of administrative remedies</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<b>Auditor Discussion</b>
	<p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Board Policy Inmate Grievances BP-03.77</li> <li>· Texas Department of Criminal Justice Administrative Directive Management of Inmate Grievances AD-03.82</li> <li>· Texas Department of Criminal Justice Third Party Grievances OGOM 9.00</li> <li>· Texas Department of Criminal Justice Third Party Preliminary Investigation Form</li> <li>· Texas Department of Criminal Justice PREA Allegations IGOM 1.04</li> </ul>

- Grievance Examples

- Texas Department of Criminal Justice Disciplinary Rules and Procedures for Offenders

Interviews:

- Interviews with offenders who reported sexual abuse

Site Review Observations:

- The auditor observed signage throughout the facility can be easily read/accessed by persons in the facility. Specifically, signage related to services, such as emotional support services, civil immigration, and external reporting, should include language that clearly details what services are available and for what purposes. Signage is provided in English and Spanish. The signage text size, formatting, and physical placement accommodates most readers, including those of average height, low vision/visually impaired, or those physically disabled/in a wheelchair. The information provided by the signage is not obscured, unreadable by graffiti, or missing due to damage.

- The auditor observed whether the information on the signage is accurate and consistent throughout the facility.

- The auditor observed where signage is placed in the facility to assess whether the signage is accessible to staff and/or those confined in the facility and other persons who may need the information or services provided. Specifically, how to report sexual abuse and/or sexual harassment.

- The auditor tested all available procedures offenders have available to report instances of sexual abuse and sexual harassment, both verbally and in writing.

- The auditor observed if the third-party reporting mechanism was posted in public areas of the facility that can be accessed by family members, friends, advocates, and attorneys.

- The auditor tested the third-party reporting mechanism by submitting a test report through the agency's external website.

- The auditor confirmed the method(s) to submit third-party reports is easily accessible and understandable and can be found in reasonably conspicuous and appropriate locations.

- The auditor confirmed that the third-party reporting method is not the general contact information for the facility, but is specific to reporting sexual abuse and sexual harassment in the facility.

- The auditor verified the facility has a process for receiving third-party reports.

Findings by Provision:

115.52 (a)

The Texas Department of Criminal Justice has an administrative procedure for dealing with offender grievances regarding sexual abuse. This is illustrated in the Safe Prisons/PREA Plan, The Texas Department of Criminal Justice Board Policy Inmate Grievances and The Texas Department of Criminal Justice Administrative Directive Management of Inmate Grievances policies.

115.52 (b)

The Texas Department of Criminal Justice does not impose a time limit on when an offender may submit a grievance regarding an allegation of sexual abuse. This is illustrated in the Safe Prisons/PREA Plan. Additionally, the agency does not require an offender to use an informal grievance process, or otherwise to attempt to resolve with staff, an alleged incident of sexual abuse. This is also illustrated in the Safe Prisons/PREA Plan.

115.52 (c)

The Texas Department of Criminal Justice allows an offender to submit a grievance alleging sexual abuse without submitting it to the staff member who is the subject of the complaint. This requirement is illustrated in the Safe Prisons/PREA Plan.

115.52 (d)

The Texas Department of Criminal Justice requires that a decision on the merits of any grievance or portion of a grievance alleging sexual abuse be made within 90 days of the filing of the grievance. The agency also requires that the offender be notified in writing if there are any extensions and provide a date by which a decision will be made. These requirements are illustrated in Safe Prison/PREA Plan, The Texas Department of Criminal Justice Board Policy Inmate Grievances and The Texas Department of Criminal Justice Administrative Directive Management of Inmate Grievance policies.

The PAQ reported that in the last 12 months there was a total of 6 grievance filed by offenders alleging sexual abuse. Of those 6 grievances, all grievances reached a final decision within 90 days after being filed. There were no extensions filed by the facility because a decision was not reached within 90 days.

The auditor interviewed 4 offenders during the onsite portion of the audit that reported sexual abuse at the facility. Only one of offenders interviewed reported that he was never advised of the outcome of the investigation. There were no instances of offenders filing grievances that the outcome of their grievance was not provided to them in writing within 90 days.

115.52 (e)

The Texas Department of Criminal Justice permits third parties, including fellow offenders, staff members, family members, attorneys, and outside advocates, to assist offenders in filing requests for administrative remedies relating to allegations of sexual abuse and to file such requests on behalf of offenders. Additionally, it requires

that if an offender declines to have third-party assistance in filing a grievance alleging sexual abuse, the agency documents the offender's decision to decline. These requirements are illustrated in the Safe Prisons/PREA Plan and The Texas Department of Criminal Justice Third Party Grievances policy.

The PAQ reported that in the last 12 months there was a total of zero grievances filed by offenders in which the offender declined third-party assistance, containing documentation of the offender's decision to decline.

115.52 (f)

The Texas Department of Criminal Justice has established procedures for the filing of an emergency grievance alleging that an offender is subject to a substantial risk of imminent sexual abuse. This is illustrated in the Safe Prisons/PREA Plan and in The Texas Department of Criminal Justice PREA Allegations policy. These policies require that after receiving an emergency grievance alleging an offender is subject to a substantial risk of imminent sexual abuse, the agency shall immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken, shall provide an initial response within 48 hours, and shall issue a final agency decision within 5 calendar days. The initial response and final agency decision documents the agency's determination whether the offender is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

The PAQ reported that over the past 12 months they have received a total of 2 emergency grievances alleging substantial risk of imminent sexual abuse. Of those 2 emergency grievances that were filed, both reached a final decision within 5 days.

115.52 (g)

The Texas Department of Criminal Justice dictates that the agency may discipline an offender for filing a grievance related to alleged sexual abuse only where the agency demonstrates that the offender filed the grievance in bad faith. This is illustrated in The Texas Department of Criminal Justice Disciplinary Rules and Procedures for Offenders policy.

The PAQ reported that in the last 12 months there was a total of zero offenders who filed grievances alleging sexual abuse that resulted in disciplinary action by the agency against the offender for having filed the grievance in bad faith.

Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.

<b>115.53</b>	<b>Inmate access to outside confidential support services</b>
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	<b>Auditor Overall Determination:</b> Meets Standard
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## **Auditor Discussion**

### Document Review:

- Texas Department of Criminal Justice Safe Prisons/PREA Plan
- Texas Department of Criminal Justice Offender Orientation Handbook
- Texas Association Against Sexual Assault Rape Advocacy Centers Directory
- Texas Department of Criminal Justice Statement of Fact Related to 115.53

### Interviews:

- Interviews with random offenders
- Interviews with offenders who reported sexual abuse

### Site Review Observations:

- The auditor observed signage throughout the facility can be easily read/accessed by persons in the facility. Specifically, signage related to services, such as emotional support services, civil immigration, and external reporting, should include language that clearly details what services are available and for what purposes. Signage is provided in English and Spanish. The signage text size, formatting, and physical placement accommodates most readers, including those of average height, low vision/visually impaired, or those physically disabled/in a wheelchair. The information provided by the signage is not obscured, unreadable by graffiti, or missing due to damage.
- The auditor observed whether the information on the signage is accurate and consistent throughout the facility.
- The auditor observed where signage is placed in the facility to assess whether the signage is accessible to staff and/or those confined in the facility and other persons who may need the information or services provided. Specifically, how to report sexual abuse and/or sexual harassment.
- The auditor tested all available procedures offenders have available to report instances of sexual abuse and sexual harassment, both verbally and in writing.
- The auditor assessed whether all persons confined in the facility have regular access to phones to contact the outside emotional support service provider(s), including for persons confined in restricted housing, and have reasonable accommodations.
- The auditor assessed how the facility provides access to phones that are unmonitored or allow for privacy (e.g., medical or mental health unit) or otherwise provides a way for persons confined in the facility to correspond with outside emotional support services confidentially.

· The auditor assessed how offenders had access to outside emotional support via mail.

Findings by Provision:

115.53 (a)

The Texas Department of Criminal Justice requires the facility provide offenders with access to outside victim advocates for emotional support services related to sexual abuse by giving offenders mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations. The facility enables reasonable communication between offenders and these organizations and agencies, in as confidential a manner as possible. These requirements are illustrated in the Safe Prisons/PREA Plan and information contained in The Texas Department of Criminal Justice Offender Orientation Handbook and Texas Association Against Sexual Assault Rape Advocacy Centers Directory.

The auditor interviewed a minimum of 40 offenders throughout the facility. Offenders overwhelmingly reported knowledge of ongoing support for victims of sexual abuse that were offered by the facility, most of which reporting they observed this information on inmate bulletin boards throughout the facility.

115.53 (b)

The Texas Department of Criminal Justice informs offenders, prior to giving them access to outside support services, the extent to which such communications will be monitored. Additionally, the facility informs offenders, prior to giving them access to outside support services, of the mandatory reporting rules governing privacy, confidentiality, and/or privilege that apply to disclosures of sexual abuse made to outside victim advocates, including any limits to confidentiality under relevant federal, state, or local law. These requirements are illustrated in the Safe Prisons/PREA Plan, Texas Department of Criminal Justice Offender Orientation Handbook and The Texas Department of Criminal Justice Statement of Fact Related to 115.53.

The auditor interviewed at least 40 offenders throughout the facility. Offenders reported they observed signage throughout the facility related to access to ongoing confidential support services. Offenders reported that they are not really certain to what extent these services were provided in a confidential manner but all offenders reported they have received and have access to the offender orientation handbook.

115.53 (c)

The Texas Department of Criminal Justice attempted to enter into memoranda of understanding or other agreements with community service providers that are able to provide offenders with confidential emotional support services related to sexual abuse. The Texas Department of Criminal Justice maintains copies of agreements or documentation showing attempts to enter into such agreements.

The PAQ reported that The Ferguson Unit had successfully entered into a

	<p>memorandum of understanding with The Brazos Valley Rape Crisis Center. During the onsite portion of the audit the auditor discovered that this agreement had never been finalized because staff at the rape crisis center never fully adhered to the requirements of the agreement. Although the memorandum is not fully in place, the facility has provided its attempt to enter into an agreement with a local facility and also has access to other local and national organizations, which is outlined in the offender orientation handbook.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.54</b>	<b>Third-party reporting</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice General Information Guide for Families of Offenders</li> <li>· Texas Department of Criminal Justice Offender Orientation Handbook</li> </ul> <p>Site Review Observations:</p> <ul style="list-style-type: none"> <li>· The auditor observed signage throughout the facility can be easily read/accessed by persons in the facility. Specifically, signage related to services, such as emotional support services, civil immigration, and external reporting, should include language that clearly details what services are available and for what purposes. Signage is provided in English and Spanish. The signage text size, formatting, and physical placement accommodates most readers, including those of average height, low vision/visually impaired, or those physically disabled/in a wheelchair. The information provided by the signage is not obscured, unreadable by graffiti, or missing due to damage.</li> <li>· The auditor observed whether the information on the signage is accurate and consistent throughout the facility.</li> <li>· The auditor observed where signage is placed in the facility to assess whether the signage is accessible to staff and/or those confined in the facility and other persons who may need the information or services provided. Specifically, how to report sexual abuse and/or sexual harassment.</li> <li>· The auditor tested all available procedures offenders have available to report</li> </ul>

	<p>instances of sexual abuse and sexual harassment, both verbally and in writing.</p> <ul style="list-style-type: none"> <li>· The auditor observed if the third-party reporting mechanism was posted in public areas of the facility that can be accessed by family members, friends, advocates, and attorneys.</li> <li>· The auditor tested the third-party reporting mechanism by submitting a test report through the agency's external website.</li> <li>· The auditor confirmed the method(s) to submit third-party reports is easily accessible and understandable and can be found in reasonably conspicuous and appropriate locations.</li> <li>· The auditor confirmed that the third-party reporting method is not the general contact information for the facility, but is specific to reporting sexual abuse and sexual harassment in the facility.</li> <li>· The auditor verified the facility has a process for receiving third-party reports.</li> </ul> <p>Findings by Provision:</p> <p>115.54 (a)</p> <p>The Texas Department of Criminal Justice has established a method to receive third-party reports of sexual abuse and sexual harassment and shall distribute publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate. This is illustrated by the Safe Prisons/PREA Plan, The Texas Department of Criminal Justice General Information Guide for Families of Offenders and The Texas Department of Criminal Justice Offender Orientation Handbook.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.61</b>	<b>Staff and agency reporting duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Sexual Misconduct with Offenders PD-29</li> <li>· Texas Department of Criminal Justice Sexual Assault/Sexual Abuse G-57.1</li> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual</li> </ul>

## Sexual Abuse Response and Investigation 05.01

### Interviews:

- Interview with the facility warden
- Interviews with agency PREA coordinator
- Interviews with random staff
- Interviews with medical and mental health staff

### Site Review Observations:

- The auditor tested staff by having them walk through the staff reporting method(s) provided by the facility.
- The auditor observed the staff reporting method was available, on demand, to all staff in the facility.
- The auditor assessed whether staff are required to report to their direct colleagues or their immediate supervisor.

### Findings by Provision:

#### 115.61 (a)

The Texas Department of Criminal Justice requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency; retaliation against offenders or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. These requirements were illustrated in the Safe Prisons/PREA Plan and Texas Department of Criminal Justice Sexual Misconduct with Offenders policies.

The auditor interviewed at least 12 random staff throughout the facility during the onsite portion of the audit. All staff interviewed indicated they were aware and were required to report all instances of sexual abuse, sexual harassment or instances of retaliation to their chain-of-command.

#### 115.61 (b)

The Texas Department of Criminal Justice, apart from reporting to designated supervisors or officials, prohibits staff from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions. This is illustrated in Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Sexual Abuse Response and Investigation policy.

The auditor interviewed at least 12 random staff throughout the facility. All staff

articulated requirement to immediately report incidents of sexual abuse, sexual harassment and retaliation. They also explained the requirement to report to their immediate chain-of-command and the requirement to maintain confidentiality with PREA related incidents.

115.61 (c)

The Texas Department of Criminal Justice requires all medical and mental health practitioners be required to report sexual abuse and to inform offenders of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services. This requirement is illustrated in Correctional Managed Health Care Policy Manual Sexual Assault/Sexual Abuse policy.

The auditor interviewed a medical staff member during the onsite portion of the audit. The medical staff member acknowledged that they explain to offenders when they provide services, of their duty to report instances of sexual abuse and sexual harassment. The medical staff member the auditor interviewed explained that she was involved in an incident when an offender reported a sexual abuse to her directly. She articulated the full process of reporting the incident immediately to security supervision at the facility.

115.61 (d)

The Texas Department of Criminal Justice Jim Ferguson Unit does not house individuals under the age of 18 or those who are considered vulnerable adults.

115.61 (e)

The Texas Department of Criminal Justice requires all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators. This requirement is illustrated in the Safe Prisons/PREA Plan policy.

The auditor interviewed the facility warden. The warden articulated that all incidents of sexual abuse and sexual harassment are reported to facility investigators and investigators of the Office of Inspector General no matter the origin, with no exception.

Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.

<b>115.62</b>	<b>Agency protection duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

	<p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Grievance Examples</li> <li>· Texas Department of Criminal Justice Alleged Sexual Abuse with Outcomes</li> </ul> <p>Interviews:</p> <ul style="list-style-type: none"> <li>· Interview with facility warden</li> <li>· Interviews with random staff</li> </ul> <p>Findings by Provision:</p> <p>115.62 (a)</p> <p>The Texas Department of Criminal Justice requires when the agency learns that an offender is subject to a substantial risk of imminent sexual abuse, it shall take immediate action to protect the offender. The requirement is illustrated in the Safe Prisons/PREA Plan policy.</p> <p>The PAQ reported there were a total of 2 times in the past 12 months that the facility determined that an offender was subject to a substantial risk of imminent sexual abuse.</p> <p>The PAQ also reported that once the facility became aware of the imminent sexual abuse, they took immediate action to protect the offender.</p> <p>The auditor interviewed the facility warden who articulated the facility's response protocol once they become aware an offender may be in imminent danger of sexual abuse.</p> <p>The auditor interviewed at least 12 random staff throughout the facility. All staff articulated the facility's coordinated response plan to protect the offender and protect potential evidence.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.63</b>	<b>Reporting to other confinement facilities</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	Document Review:

- Texas Department of Criminal Justice Safe Prisons/PREA Plan
- Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Reporting Allegations of Sexual Abuse to Other Confinement Facilities 04.01
- Texas Department of Criminal Justice Email Notification Examples
- Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Receiving Allegations of Sexual Abuse from an Outside Agency 04.02
- Texas Department of Criminal Justice Email Notification Examples from Outside Agencies

Interviews:

- Interview with the facility warden

Findings by Provision:

115.63 (a)

The Texas Department of Criminal Justice requires that upon receiving an allegation that an offender was sexually abused while confined at another facility, the head of the facility that received the allegation shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred. This requirement is illustrated in the Safe Prisons/PREA Plan and Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Reporting Allegations of Sexual Abuse to Other Confinement Facilities 04.01 policies.

The PAQ reported that within the last 12 months the facility handled 8 allegations where an offender alleged they were sexual abused while housed in another facility.

115.63 (b) (c)

The Texas Department of Criminal Justice requires that notifications to other facilities be provided as soon as possible, but no later than 72 hours after receiving the allegation and that the notification will be made in writing. This mandate is illustrated in the Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Reporting Allegations of Sexual Abuse to Other Confinement Facilities 04.01 policy.

115.63 (d)

The Texas Department of Criminal Justice requires facility head or agency office that received such notification ensure that the allegation is investigated in accordance with these standards. This is illustrated in the Safe Prisons/PREA plan policy.

The PAQ reported there were a total of 3 allegations of sexual abuse the facility received from other facilities within the last 12 months.

The auditor interviewed the facility warden articulated the process the facility utilizes

	<p>when they receive allegations of sexual abuse or sexual harassment from other facilities. He explained that the facility implements the same protocols and investigative process as with all PREA allegations.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.64</b>	<b>Staff first responder duties</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Sexual Abuse Response and Investigation 05.01</li> <li>· Texas Department of Criminal Justice Administrative Directive Evidence Handling AD-16.03</li> </ul> <p>Interviews:</p> <ul style="list-style-type: none"> <li>· Interviews random security staff</li> <li>· Interviews with offenders that reported sexual abuse</li> </ul> <p>Findings by Provision:</p> <p>115.64 (a)</p> <p>The Texas Department of Criminal Justice requires that upon learning of an allegation that an offender was sexually abused, the first security staff member to respond to the report shall be required to: (1) separate the alleged victim and abuser; (2) preserve and protect any crime scene until appropriate steps can be taken to collect any evidence; (3) if the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and (4) if the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. These requirements are illustrated in Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Sexual Abuse Response and Investigation policy.</p>

The PAQ reported that within the last 12 months the facility handled 44 allegations that an offender was sexually abused. Of those instances there were 11 times when the security staff member separated the alleged victim and the abuser.

The PAQ also reported within the last 12 months there were a total of 24 instances when a staff member was notified within a time period that still allowed for the collection of physical evidence.

The auditor interviewed at least 12 random staff throughout the facility who acted as first responders to an allegation of sexual abuse. Not all 12 staff members were immediate first responders but the auditor wanted to test all staff on their ability to articulate the facility's coordinated response to allegations of sexual abuse and sexual harassment. All staff interviewed were able to explain their duties and responsibilities when they are presented with allegations of sexual abuse in compliance with this provision.

The auditor interviewed 4 offenders who reported sexual abuse in the facility. Overwhelmingly, offenders reported that staff at the facility took immediate action to protect the alleged victim from the alleged perpetrator, separate the individuals involved and preserve and protect any potential evidence.

115.64 (b)

The Texas Department of Criminal Justice requires that if the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff. This requirement is illustrated in Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Sexual Abuse Response and Investigation policy.

The PAQ reported that over the last 12 months there have been zero instances when a non-security staff member was the first responder to an allegation of sexual abuse.

The auditor interviewed at least 12 random staff throughout the facility who articulated the facility's coordinated response plan to instances of sexual abuse and sexual harassment. Staff interviewed were able to break down each step of the process in a manner that fully complied with all requirements under this provision.

Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.

<b>115.65</b>	<b>Coordinated response</b>
	<b>Auditor Overall Determination:</b> Meets Standard

	<p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Unit Specific Coordinated Response Plan</li> </ul> <p>Interviews:</p> <ul style="list-style-type: none"> <li>· Interview with the facility warden</li> </ul> <p>Findings by Provision:</p> <p>115.65 (a)</p> <p>The Texas Department of Criminal Justice / Jim Ferguson Unit has a written institutional plan to coordinate actions taken in response to an incident of sexual abuse among staff first responders, medical and mental health practitioners, investigators, and facility leadership. This is illustrated by the Unit Specific Coordinated Response Plan provided by the facility.</p> <p>The auditor interviewed the facility warden. The warden explained in detail the facility's coordinated response plan related to all allegations of sexual abuse and sexual harassment. He also explained the specific duties of all entities involved when an offender reports a PREA related incident.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.66</b>	<b>Preservation of ability to protect inmates from contact with abusers</b>
	<b>Auditor Overall Determination:</b> Audited at Agency Level
	<p><b>Auditor Discussion</b></p> <p>This auditor verified with the Texas Department of Criminal Justice PREA Ombudsman's Office that an agency-level audit was conducted on 9/15/2023.</p>

<b>115.67</b>	<b>Agency protection against retaliation</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	Document Review:

- Texas Department of Criminal Justice Safe Prisons/PREA Plan
- Texas Department of Criminal Justice Sexual Misconduct with Offenders PD-29
- Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual 90-Day Monitoring for Retaliation
- Retaliation Monitoring Examples

Interviews:

- Interview with the facility warden
- Interviews with staff that monitor retaliation
- Interviews of offenders who reported sexual abuse

Findings by Provision:

115.67 (a)

The Texas Department of Criminal Justice protects all offenders and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other offenders or staff, and shall designate which staff members or departments are charged with monitoring retaliation. This is illustrated in the Safe Prisons/PREA Plan, Texas Department of Criminal Justice Sexual Misconduct with Offenders and Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual 90-Day Monitoring for Retaliation policies.

The PAQ reported that the Ferguson Unit designates the facility major and the facility PREA compliance manager as the two individuals responsible for monitoring retaliation.

115.67 (b) (d)

The Texas Department of Criminal Justice employs multiple protection measures, such as housing changes or transfers for offender victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for offenders or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

The auditor interviewed the facility warden who reported that any type of retaliation against offenders or staff was strictly prohibited. The warden articulated the full retaliation process that is afforded for offenders in the facility, which included periodic check-ins with the offenders up until 90 days or longer if necessary unless the investigation was determined to be unfounded.

The auditor interviewed one of the staff members charged with retaliation monitoring. She fully articulated the process she utilizes to ensure retaliation against offenders is monitored and handled appropriately as required by policy. She stated she meets

with offenders on a monthly basis for 90 days or longer if necessary. She indicated 2 items she really focuses on are housing assignment changes and disciplinary actions against offenders.

The auditor interviewed 4 offenders who reported sexual abuse in the facility. None of the offenders reported they had safety concerns or retaliation concerns related to their allegations of sexual abuse at the facility. Most offenders were able to articulate the retaliation review process utilized at the facility.

115.67 (c) (e)

The Texas Department of Criminal Justice for at least 90 days following a report of sexual abuse monitors the conduct and treatment of offenders or staff who reported the sexual abuse and of offenders who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by offenders or staff, and shall act promptly to remedy any such retaliation. The Texas Department of Criminal Justice continues such monitoring beyond 90 days if the initial monitoring indicates a continuing need. This is illustrated in the Safe Prisons/PREA Plan and Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual 90-Day Monitoring for Retaliation policies.

The PAQ reported that over the last 12 months there have been zero instances of retaliation reported by either offenders or staff.

The auditor interviewed the facility warden who reported that any instances of retaliation by either offender or staff would be swiftly investigated and handled appropriately.

Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.

115.68	Post-allegation protective custody
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Restrictive Housing Plan</li> <li>· Texas Department of Criminal Justice Protective Safekeeping Plan</li> <li>· Housing Assignments of Offenders Who Alleged Sexual Abuse</li> </ul> <p>Interviews:</p>

- Interview with the facility warden
- Interviews with staff that supervise offender is segregated housing
- Interviews of offenders who reported sexual abuse

Findings by Provision:

115.68 (a)

The Texas Department of Criminal Justice prohibits the placement of offenders 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.

This is evidence by the Safe Prisons/PREA Plan, Texas Department of Criminal Justice Restrictive Housing Plan and Texas Department of Criminal Justice Protective Safekeeping Plan.

The PAQ reported there were a total of zero offenders who allege to have suffered sexual abuse who were held in involuntary segregation in the past 12 months for 24 hours awaiting completion of assessment.

The PAQ also reported there were a total of zero offenders who allege to have suffered sexual abuse who were assigned to involuntary segregated housing in the past 12 months for longer than 30 days while awaiting alternative placement.

The auditor interviewed the facility warden who confirmed that offenders are not placed in involuntary segregated housing in lieu of other housing areas. He reported that risk assessments are done with urgency to determine the likelihood of potential abuse. He articulated the use of transient status of offender while alternative placement is being determined. The warden further explained there were no recent examples of offenders being placed in involuntary segregation for alleging sexual abuse because any offenders would have been in that environment for a very short period of time.

The auditor interviewed 2 staff members who supervise offenders in segregated housing. Both staff members explained that if an offender is placed in segregated housing for protection from sexual abuse or having alleged sexual abuse, they still have access to programs, privileges, education and work opportunities. They also confirmed that if offenders are placed in segregation, the length of time is very limited in that transient status. Both individuals confirmed that per policy, an offender would receive a placement review every 30 days if that circumstance were to exist.

The auditor interviewed 4 offenders who either reported sexual abuse in the facility. This was done to probe what actions the facility took after a report was made. The facility reported there were zero offenders placed in segregated housing for either making a report or identified as high risk. All offenders interviewed reported they were not taken to segregated housing for an extended period of time and were afforded alternative placement if applicable to their situations.

	Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.
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115.71	Criminal and administrative agency investigations
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Administrative Directive Reporting Incidents/Crimes to the Office of the Inspector General AD-16.20</li> <li>· Texas Department of Criminal Justice Administrative Directive Operations of the Emergency Action Center and Reporting Procedures for the Serious or Unusual Incidents AD-02.15</li> <li>· Criminal and Administrative Investigation Samples</li> <li>· Texas Department of Criminal Justice Executive Directive Records Management ED-02.29</li> <li>· Texas Department of Criminal Justice Records Retention Schedule</li> </ul> <p>Interviews:</p> <ul style="list-style-type: none"> <li>· Interviews with investigative staff</li> <li>· Interviews with offenders that reported sexual abuse</li> </ul> <p>Site Review Observations:</p> <ul style="list-style-type: none"> <li>· The auditor observed the physical storage area of any information/documentation collected and maintained in hard copy pursuant to the PREA Standards.</li> <li>· The auditor observed electronic safeguards of any information/documentation collected and maintained electronically pursuant to the PREA Standards.</li> </ul> <p>Findings by Provision:</p> <p>115.71 (a)</p> <p>The Texas Department of Criminal Justice requires when it conducts its own investigations into allegations of sexual abuse and sexual harassment, it shall do so promptly, thoroughly, and objectively for all allegations, including third-party and</p>

anonymous reports. These requirements are illustrated in Safe Prisons/PREA Plan, Texas Department of Criminal Justice Administrative Directive Reporting Incidents/ Crimes to the Office of the Inspector General and Texas Department of Criminal Justice Administrative Directive Operations of the Emergency Action Center and Reporting Procedures for the Serious or Unusual Incidents policies.

The auditor interviewed 3 investigative staff members during the onsite portion of the audit. All 3 investigative staff reported that allegations of sexual abuse and sexual harassment are immediately initiated when reported. Investigative staff also articulated the process of handling third party or anonymous reports of sexual abuse and sexual harassment, which is not handled any differently than any other allegation related to PREA.

115.71 (b)

The Texas Department of Criminal Justice requires the agency shall use investigators who have received special training in sexual abuse investigations pursuant to § 115.34. This requirement is illustrated in the Safe Prisons/PREA plan.

The auditor interviewed 3 investigative staff members during the onsite portion of the audit. All 3 investigators reported they had received specialized training on conducting investigations in confinement settings which included techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings and the criteria and evidence required to substantiate a case for administrative or prosecution referral.

115.71 (c)

The Texas Department of Criminal Justice requires that Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator. These requirements are illustrated in the Safe Prisons/PREA plan.

The auditor interviewed 3 investigative staff members during the onsite portion of the audit. All 3 investigative staff articulated how a criminal or administrative investigation is initiated. This included a prompt initiation to the process, conducting interviews, preserving evidence and creating a complete and comprehensive report of their findings.

115.71 (d)

The Texas Department of Criminal Justice requires when the quality of evidence appears to support criminal prosecution, the agency shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution. This requirement is illustrated in the Safe Prisons/PREA Plan.

115.71 (e)

The Texas Department of Criminal Justice requires that the credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as offender or staff. The agency shall not require an offender who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation. This requirement is illustrated in the Safe Prisons/PREA plan.

Interviews were conducted with 3 investigative staff during the onsite portions of the audit. All investigators spoke to the importance of completing credibility assessments for alleged victims and alleged perpetrators in an investigation. All 3 investigators stated they would never require an offender to submit to polygraph or truth-telling device as a condition of proceeding with an investigation.

The auditor interviewed 4 offender who reported sexual abuse at the facility. All 4 offenders reported they were not required to submit to a polygraph or truth-telling device as a condition of proceeding with their investigation.

#### 115.71 (f)

The Texas Department of Criminal Justice requires that administrative investigations: (1) include an effort to determine whether staff actions or failures to act contributed to the abuse; and (2) shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. These requirements are illustrated in the Safe Prisons/PREA Plan.

The auditor interviewed 1 administrative investigator during the onsite portion of the audit. The investigator articulated the actions she took during her investigation to determine if staff actions or failures contributed to an abuse, that she documents all investigations in a report, which always includes a description of physical and testimonial evidence.

#### 115.71 (g)

The Texas Department of Criminal Justice requires criminal investigations be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible. These requirements are outlined in the Safe Prisons/PREA Plan.

#### 115.71 (h)

The Texas Department of Criminal Justice requires substantiated allegations of conduct that appears to be criminal shall be referred for prosecution. This requirement is outlined in the Safe Prisons/PREA Plan.

The PAQ reported that since the last PREA audit there have been a total of 2 allegations of conduct that appeared to be criminal that were referred for prosecution.

	<p>115.71 (i)</p> <p>The Texas Department of Criminal Justice requires that the agency retain all written reports referenced in paragraphs (f) and (g) of this section for as long as the alleged abuser is incarcerated or employed by the agency, plus five years. These requirements are illustrated in the Texas Department of Criminal Justice Executive Directive Records Management and the Texas Department of Criminal Justice Records Retention Schedule.</p> <p>115.71 (j)</p> <p>The Texas Department of Criminal Justice mandates that the departure of the alleged abuser or victim from the employment or control of the facility or agency shall not provide a basis for terminating an investigation. This is illustrated in the Safe Prisons/PREA Plan.</p> <p>The auditor interviewed 3 investigative staff all of which confirmed they would be required to complete an investigation of sexual abuse regardless if a staff member terminated employment prior to the conclusion of the investigation.</p> <p>115.71 (l)</p> <p>The Texas Department of Criminal Justice requires the facility staff to cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation. These requirements are outlined in the Safe Prisons/PREA Plan.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.72</b>	<b>Evidentiary standard for administrative investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Program Conducting a Thorough Investigation</li> <li>· Administrative investigations</li> </ul> <p>Interviews:</p>

	<ul style="list-style-type: none"> <li>· Interviews with investigative staff</li> </ul> <p>Findings by Provision:</p> <p>115.72 (a)</p> <p>The Texas Department of Criminal Justice does impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. This requirement is illustrated in the Safe Prisons/PREA Plan policy and in the Texas Department of Criminal Justice Safe Prisons/PREA Program Conducting a Thorough Investigation training program.</p> <p>The auditor interviewed a staff member responsible for the offender risk screening process who confirmed that all offenders coming to the facility regardless of their prior location, are screened risk of being abused or being abusive towards others.</p> <p>The auditor interviewed an administrative investigator and 2 criminal investigators during the onsite portion of the audit. All 3 investigators were aware that preponderance of evidence was the standard in administrative investigations.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.73</b>	<b>Reporting to inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Completing the Offender Protection Investigation Safe Prisons/PREA Operations Manual Reporting Sexual Abuse Criminal Case Status to Offenders</li> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Completing the Staff-on-Offender Investigation</li> <li>· Texas Department of Criminal Justice Offender Notification Brochure</li> <li>· Texas Department of Criminal Justice List of Alleged Sexual Abuse Outcomes</li> <li>· Investigation Examples</li> </ul> <p>Interviews:</p>

- Interview with facility warden
- Interviews with investigative staff
- Interviews with offenders who reported sexual abuse

Findings by Provision:

115.73 (a)

The Texas Department of Criminal Justice requires following an investigation into an offender's allegation that he or she suffered sexual abuse in an agency facility, the agency shall inform the offender as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. This requirement is outlined in the Safe Prisons/PREA Plan, Safe Prisons/PREA Operations Manual Completing the Offender Protection Investigation and Safe Prisons/PREA Operations Manual Reporting Sexual Abuse Criminal Case Status to Offenders.

The PAQ reported there were a total of 43 criminal and/or administrative investigations of alleged offender sexual abuse that were completed by the facility in the past 12 months.

The PAQ also reported that all 43 offenders were notified, verbally or in writing, of the results of the investigation.

The auditor interviewed the facility warden who reported the facility always notifies offenders of the outcome of their investigation.

The auditor interviewed 3 investigative staff during the onsite portion of the audit. All 3 investigators confirmed that offenders are always provided the outcome of a PREA investigation upon its conclusion.

The auditor interviewed 4 offenders who reported sexual abuse at the facility. All 4 offenders reported they were aware the facility is required to advise them of the outcome of a PREA investigation upon its completion.

115.73 (b)

The Texas Department of Criminal Justice Office of the Inspector General completes criminal investigations related to sexual abuse for the agency. The Office of the Inspector General provides information from the investigation to the facility in order to inform the offender of outcome. This is evidenced by the example OIG notice provided by the facility.

The PAQ reported there was a total of 1 investigation that was conducted by the Office of the Inspector General completed within the last 12 months. The facility was provided notice from the agency of the outcome of the investigation.

115.73 (c)

The Texas Department of Criminal Justice requires that following an offender's

allegation that a staff member has committed sexual abuse against the offender, the agency shall subsequently inform the offender (unless the agency has determined that the allegation is unfounded) whenever: (1) The staff member is no longer posted within the offender’s unit; (2) The staff member is no longer employed at the facility; (3) The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or (4) The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility. This is illustrated in the Safe Prisons/PREA Plan and Safe Prisons/PREA Operations Manual Completing the Staff-on-Offender Investigation policies.

The auditor conducted an interview with the facility warden who confirmed offenders are always provided notification of outcome of a PREA related investigation.

The auditor conducted interviews with 4 offenders who reported sexual abuse at the facility. All offenders reported they were given written notice of the outcome of their sexual abuse investigations and all the steps that are required under this provision.

115.73 (d)

The Texas Department of Criminal Justice requires that following an offender’s allegation that he or she has been sexually abused by another offender, the agency shall subsequently inform the alleged victim whenever: (1) The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or (2) The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility. This is illustrated in the Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Completing the Offender Protection Investigation Safe Prisons/PREA Operations Manual Reporting Sexual Abuse Criminal Case Status to Offenders policy.

115.73 (e)

The Texas Department of Criminal Justice requires all notifications or attempted notifications to offenders be documented. This is illustrated in the Safe Prisons PREA/ Plan policy and further illustrated by investigation outcome notifications provided by the facility.

The PAQ reported there were a total of 62 notifications to offenders that were provided pursuant to this standard and that all notifications were documented.

Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.

<b>115.76</b>	<b>Disciplinary sanctions for staff</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

Document Review:

- Texas Department of Criminal Justice Safe Prisons/PREA Plan
- Texas Department of Criminal Justice Executive Directive General Rules of Conduct and Disciplinary Action Guidelines for Employees PD-22
- Texas Department of Criminal Justice Rehire Review Required Example
- Texas Department of Criminal Justice Executive Directive Sexual Misconduct with Inmates PD-29

Findings by Provision:

115.76 (a)

The Texas Department of Criminal Justice requires that staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. This is illustrated in the Safe Prisons/PREA Plan and the Texas Department of Criminal Justice Executive Directive General Rules of Conduct and Disciplinary Action Guidelines for Employees.

115.76 (b)

The Texas Department of Criminal Justice dictates that termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse. This is evidenced by information contained in The Texas Department of Criminal Justice Executive Directive General Rules of Conduct and Disciplinary Action Guidelines for Employees.

The PAQ reported that in the past 12 months there has been 1 staff member who has been terminated or resigned prior to termination for violating agency sexual abuse or sexual harassment policies.

115.76 (c)

The Texas Department of Criminal Justice requires that disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. This is illustrated in The Texas Department of Criminal Justice Executive Directive General Rules of Conduct and Disciplinary Action Guidelines for Employees.

The PAQ reported in the past twelve months there have been zero employees from the facility who have been disciplined, short of termination, for violation of agency sexual abuse or sexual harassment policies.

115.76 (d)

The Texas Department of Criminal Justice requires that all terminations for violations

	<p>of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies. This is illustrated in The Texas Department of Criminal Justice Executive Directive Sexual Misconduct with Inmates.</p> <p>The PAQ reported that in the past 12 months there has been 1 staff member that has been reported to law enforcement or licensing boards following their termination (or resignation prior to termination) for violating agency sexual abuse or sexual harassment policies.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.77 Corrective action for contractors and volunteers</b>	
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Executive Directive Sexual Misconduct with Inmates PD-29</li> <li>· Criminal Investigation Files</li> </ul> <p>Interviews:</p> <ul style="list-style-type: none"> <li>· Interview with facility warden</li> </ul> <p>Findings by Provision:</p> <p>115.77 (a)</p> <p>The Texas Department of Criminal Justice requires that any contractor or volunteer who engages in sexual abuse is prohibited from contact with offenders and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. This is illustrated in the Safe Prisons/PREA Plan in The Texas Department of Criminal Justice Executive Directive Sexual Misconduct with Inmates policy.</p> <p>The PAQ reported that in the past 12 months there have been zero contractors or volunteers have been reported to law enforcement agencies and relevant licensing bodies for engaging in sexual abuse of offenders.</p>

115.77 (b)	<p>The PAQ reported that the facility takes appropriate remedial measures, and considers whether to prohibit further contact with offenders, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer. The PAQ also reported the facility has had zero instances of this type of conduct from contractors or volunteers.</p> <p>The auditor interviewed the facility warden. The warden explained that a volunteer or contractor would not be permitted, at least temporarily, from entering the facility until the investigation is completed.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.78</b>	<b>Disciplinary sanctions for inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Executive Directive Offender Disciplinary Procedures ED-03.76</li> <li>· Texas Department of Criminal Justice Disciplinary Rules and Procedures for Offenders English and Spanish</li> <li>· Criminal and Administrative Investigation Files</li> </ul> <p>Interviews:</p> <ul style="list-style-type: none"> <li>· Interview with facility warden</li> <li>· Interview with medical/mental health staff</li> </ul> <p>Findings by Provision:</p> <p>115.78 (a) (b) (c)</p> <p>The Texas Department of Criminal Justice dictates that offenders shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the offender engaged in offender-on-offender sexual abuse or following a criminal finding of guilt for offender-on-offender sexual abuse. These requirements are illustrated in the Safe Prisons/PREA Plan and in The Texas</p>

Department of Criminal Justice Executive Directive Offender Disciplinary Procedures policy.

The PAQ reported that in the last 12 months there was a total of 1 administrative findings of offender-on-offender sexual abuse that occurred at the facility.

The PAQ also reported that in the last 12 months there was a total of zero criminal finding of guilt for offender-on-offender sexual abuse that occurred at the facility.

The auditor interviewed the facility warden. The warden indicated that sanctions imposed on offenders are commensurate with the nature and circumstances of the abuse committed, the offender's disciplinary history, and the sanctions imposed for comparable offenses by other offenders with similar histories. The warden also articulated that the disciplinary process shall consider whether an offender's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.

115.78 (d)

The PAQ reported that the facility offers therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse.

Additionally, the facility offers therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse, the facility considers whether to require the offender to participate in such interventions as a condition of access to programming or other benefits.

The auditor interviewed a medical/mental health staff member during the onsite portion of the audit. She confirmed the facility offers therapy, counseling and other interventions to offenders required under this provision. She also confirmed that offenders are not required to participate in these interventions as a condition of access to programming or other benefits.

115.78 (e)

The Texas Department of Criminal Justice dictates that the agency may discipline an offender for sexual contact with staff only upon a finding that the staff member did not consent to such contact. This is illustrated in Safe Prisons/PREA Plan.

115.78 (f)

The Texas Department of Criminal Justice prohibits disciplinary action for a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred, even if an investigation does not establish evidence sufficient to substantiate the allegation. This is illustrated in the Safe Prisons/PREA Plan.

115.78 (g)

The Texas Department of Criminal Justice prohibits all sexual activity between offenders and may discipline offenders for such activity. An agency may not, however, deem such activity to constitute sexual abuse if it determines that the activity is not

	<p>coerced. This is illustrated in The Texas Department of Criminal Justice Disciplinary Rules and Procedures for Offenders.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.81</b>	<b>Medical and mental health screenings; history of sexual abuse</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Inmate Assessment for Risk of Victimization or Abusiveness 03.01</li> <li>· Texas Department of Criminal Justice Correctional Managed Health Care Policy Manual Confidentiality and Release of Protected Health Information H-61.1</li> </ul> <p>Interviews:</p> <ul style="list-style-type: none"> <li>· Interviews with offenders that disclosed sexual victimization at risk screening</li> <li>· Interviews with staff responsible for risk screening</li> <li>· Interviews with medical and mental health staff</li> </ul> <p>Site Review Observations:</p> <ul style="list-style-type: none"> <li>· The auditor observed the physical storage area of any information/documentation collected and maintained in hard copy pursuant to the PREA Standards.</li> <li>· The auditor observed electronic safeguards of any information/documentation collected and maintained electronically pursuant to the PREA Standards.</li> </ul> <p>Findings by Provision:</p> <p>115.81 (a) (c)</p> <p>The Texas Department of Criminal Justice requires that if the screening pursuant to § 115.41 indicates that a prison offender has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the offender is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening. This requirement is illustrated in</p>

the Safe Prisons/PREA Plan and Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Inmate Assessment for Risk of Victimization or Abusiveness policy.

The PAQ reported that within the last 12 months 100 percent of offenders who disclosed prior victimization during screening were offered a follow-up meeting with a medical or mental health practitioner.

The auditor interviewed 6 offenders who reported prior victimization during the risk screening process. All offenders reported receiving a follow-up meeting with medical/mental health after their interview.

The auditor interviewed staff responsible for the risk screening process. Risk screening staff articulated to the auditor what the process was when risk screening offenders and if an offender disclosed prior sexual victimization, they were always referred to medical and mental health for a follow-up meeting.

#### 115.81 (b)

The Texas Department of Criminal Justice requires that if the screening pursuant to § 115.41 indicates that an offender has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the offender is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening. This requirement is illustrated in the Safe Prisons/PREA Plan and The Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Inmate Assessment for Risk of Victimization or Abusiveness policy.

#### 115.81 (d)

The Texas Department of Criminal Justice requires that information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to informing security and management decisions, including treatment plans, housing, bed, work, education, and program assignments, or as otherwise required by federal, state, or local law. This is illustrated in the Safe Prisons/PREA Plan and The Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Inmate Assessment for Risk of Victimization or Abusiveness policy.

#### 115.81 (e)

The Texas Department of Criminal Justice requires that medical and mental health practitioners shall obtain informed consent from offenders before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18. This is illustrated in the Safe Prisons/PREA Plan.

The auditor interviewed medical and mental health staff during the onsite portion of the audit. Interviews conducted illustrated compliance with the requirements of this provision.

Based upon information contained in the PAQ, policies, procedures, site review and

	interviews conducted, the facility is substantially compliant with the requirements of this standard.
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115.82	Access to emergency medical and mental health services
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Referral to Medical / Mental Health Services</li> <li>· Texas Department of Criminal Justice Correctional Managed Health Care Policy Manual Sexual Assault/Sexual Abuse G-57.1</li> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Sexual Abuse Response and Investigation 05.01</li> <li>· Texas Department of Criminal Justice Medical and Mental Health Secondary Materials Examples</li> </ul> <p>Interviews:</p> <ul style="list-style-type: none"> <li>· Interviews with offenders that reported sexual abuse</li> <li>· Interviews with random staff throughout the facility</li> <li>· Interviews with medical and mental health staff</li> </ul> <p>Findings by Provision:</p> <p>115.82 (a) (b)</p> <p>The Texas Department of Criminal Justice ensures that offender victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment. This was evidenced by the medical and mental health secondary materials provided by the facility.</p> <p>The auditor interviewed medical and mental health staff during the onsite portion of the audit. Individuals interviewed articulated that offenders receive unimpeded access to emergency medical treatment and crisis intervention as soon as they receive the referral or information from security personnel.</p>

	<p>The auditor interviewed 4 offenders who reported sexual abuse at the facility. Of the offenders interviewed most reported they were offered a follow-up meeting with medical and mental health staff almost immediately after the incident was reported.</p> <p>115.82 (c)</p> <p>The Texas Department of Criminal Justice ensures that offender victims of sexual abuse while incarcerated shall be offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate. This is illustrated in the Safe Prisons/PREA Plan.</p> <p>The auditor interviewed 4 offenders who reported sexual abuse in the facility. All but one of the offenders reported they were offered access to emergency access to sexual transmitted infections prophylaxis but that it was not required or necessary.</p> <p>The auditor interviewed medical and mental health personnel during the onsite portion of the audit. Personnel reported compliance with this provision without hesitation.</p> <p>115.82 (d)</p> <p>The Texas Department of Criminal Justice mandates that treatment services are provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. This is illustrated in the Safe Prisons/PREA Plan and The Texas Department of Criminal Justice Correctional Managed Health Care Manual Sexual Assault/Sexual Abuse policy.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.83</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p> <p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Correctional Managed Health Care Policy Manual Continuity of Care E-44.1</li> <li>· Texas Department of Criminal Justice Correctional Managed Health Care Policy</li> </ul>

Manual Sexual Assault/Sexual Abuse G-57.1

- Texas Department of Criminal Justice Medical and Mental Health Secondary Materials Examples

Interviews:

- Interviews with offenders that reported sexual abuse
- Interviews with medical and mental health staff

Findings by Provision:

115.83 (a)

The Texas Department of Criminal Justice requires that the facility offers medical and mental health evaluation and, as appropriate, treatment to all offenders who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility. This requirement is illustrated in the Safe Prisons/PREA Plan, The Texas Department of Criminal Justice Correctional Managed Health Care Manual Continuity of Care and the Texas Department of Criminal Justice Correctional Managed Health Care Policy Manual Sexual Assault/Sexual Abuse policies.

115.83 (b) (c)

The Texas Department of Criminal Justice ensures the evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody. Additionally, the facility provides such victims with medical and mental health services consistent with the community level of care.

The auditor interviewed medical and mental health personnel during the onsite portion of the audit that confirmed compliance with all the requirements of these provisions.

115.83 (d)

The Ferguson Unit is an all-male facility and therefore this provision is not applicable to this facility.

115.83 (e)

The Ferguson Unit is an all-male facility and therefore this provision is not applicable to this facility.

115.83 (f)

The Texas Department of Criminal Justice requires that offender victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate. This is illustrated in the Safe Prisons/PREA Plan and The Texas

	<p>Department of Criminal Justice Correctional Managed Health Care Manual Sexual Assault/Sexual Abuse policy.</p> <p>The auditor interviewed 4 offenders who reported sexual abuse in the facility. All but 1 of the offenders reported they were offered access to emergency access to sexual transmitted infections prophylaxis but that it was not required or necessary.</p> <p>115.83 (g)</p> <p>The Texas Department of Criminal Justice mandates that treatment services are provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. This is illustrated in the Safe Prisons/PREA Plan and The Texas Department of Criminal Justice Correctional Managed Health Care Manual Sexual Assault/Sexual Abuse policy.</p> <p>The auditor interviewed 4 offenders who reported sexual abuse at the facility. All offenders reported, if they were offered services, they were not required to pay for any treatment provided by either medical or mental health staff.</p> <p>115.83 (h)</p> <p>The Texas Department of Criminal Justice attempts to conduct a mental health evaluation of all known offender-on-offender abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners. This is illustrated in the Safe Prisons/PREA Plan.</p> <p>The auditor interviewed medical and mental health personnel during the onsite portion of the audit. Personnel reported compliance with the requirement of this provision.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.86</b>	<b>Sexual abuse incident reviews</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Document Review:</p> <ul style="list-style-type: none"> <li>· Texas Department of Criminal Justice Safe Prisons/PREA Plan</li> <li>· Texas Department of Criminal Justice Instructions for Submitting Reports of Alleged Sexual Abuse and Sexual Harassment</li> <li>· Texas Department of Criminal Justice Operations of the Emergency Action Center</li> </ul>

and Reporting Procedures for the Serious or Unusual Incidents AD-02.15

- Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual 02.01
- Texas Department of Criminal Justice Jim Ferguson Unit Investigative Team
- Investigations of sexual abuse and sexual harassment
- Completed sexual abuse incident reviews

Interviews:

- Interview with facility warden
- Interview with facility PREA compliance manager
- Interviews with incident review team members

Findings by Provision:

115.86 (a)

The Texas Department of Criminal Justice ensures that all of its facilities conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded. The Safe Prisons/ PREA Plan, Instructions for Reporting Alleged Sexual Abuse and Sexual Harassment and the Administrative Directive for Reporting Serious or Unusual Incidents are the policies and procedures all facilities follow for completing sexual abuse incident reviews.

The PAQ reported that in the past 12 months, the facility has completed 22 criminal and/or administrative investigations of sexual abuse.

115.86 (b)

The Texas Department of Criminal Justice requires that all sexual abuse incident reviews ordinarily occur within 30 days of the conclusion of the investigation.

The auditor reviewed a random sample of completed sexual abuse incident reviews which illustrated the facility's compliance with this provision.

The PAQ reported that in the past 12 months there were a total of 22 criminal and/or administrative investigations of alleged sexual abuse completed at the facility that were followed by a sexual abuse incident review within 30 days.

115.86 (c)

The Texas Department of Criminal Justice requires that the review team consists of upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners. The Safe Prisons/PREA Operational Manual specifically outlines who the review team consists of.

The auditor interviewed the facility warden who confirmed that the facility has a sexual abuse incident review team and that the review team consisted of the appropriate members as outlined in this provision.

115.86 (d)

The Texas Department of Criminal Justice requires that the sexual abuse incident review team consider the following:

1. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse.
2. Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility.
3. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
4. Assess the adequacy of staffing levels in that area during different shifts.
5. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.
6. Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to paragraphs (d)(1)-(d)(5) of this section, and any recommendations for improvement and submit such report to the facility head and PREA compliance manager.

The reviewed examples of sexual abuse incident reviews provided by the facility which illustrated compliance with the all the requirements of this provision.

The auditor interviewed the facility warden who explained a consistent process that is completed at the end of each criminal or administrative sexual abuse investigation.

The warden articulated in his response how the facility utilizes information they gather from the incident review to assist them in removing potential barriers and enhancements to video monitoring technology. The warden confirmed they complete a written electronic report of the team's findings at the conclusion of each sexual abuse investigation.

The auditor interviewed the facility PREA compliance manager. The compliance manager confirmed the facility conduct a sexual abuse incident review at the conclusion of each sexual abuse investigation. She confirmed the facility submits an electronic report which is reviewed by her and the facility warden on any recommendations for changes that may be needed by the facility to enhance sexual safety.

The auditor interviewed 2 separate staff members who participated in the facility sexual abuse incident review team. Both team members articulated the sexual abuse

	<p>incident review process and compliance with all the requirements under this provision.</p> <p>115.86 (e)</p> <p>The Texas Department of Criminal Justice requires that each of its facilities implement the recommendations for improvement, or shall document its reasons for not doing so as part of the sexual abuse incident review process.</p> <p>The auditor reviewed examples of sexual abuse incident reviews provided by the facility which illustrated compliance with this provision.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.87</b>	<b>Data collection</b>
	<b>Auditor Overall Determination:</b> Audited at Agency Level
	<b>Auditor Discussion</b>

<b>115.88</b>	<b>Data review for corrective action</b>
	<b>Auditor Overall Determination:</b> Audited at Agency Level
	<b>Auditor Discussion</b>

<b>115.89</b>	<b>Data storage, publication, and destruction</b>
	<b>Auditor Overall Determination:</b> Audited at Agency Level
	<b>Auditor Discussion</b>

<b>115.401</b>	<b>Frequency and scope of audits</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

	<p>Findings by Provision:</p> <p>115.401 (h)</p> <p>The auditor had access to, and observed, all areas of the facility.</p> <p>115.401 (i)</p> <p>The auditor was permitted to request and receive copies of any relevant documents (including electronically stored information).</p> <p>115.401 (m)</p> <p>The auditor was permitted to conduct private interviews with offenders.</p> <p>115.401 (n)</p> <p>Offenders were permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel.</p> <p>The auditor verified the methods that offenders are afforded for sending confidential correspondence to the auditor through their legal mail process.</p> <p>The auditor verified with facility management that offenders were given at least 6 weeks advance notice of the audit. The auditor had the facility provide time stamped pictures as examples of when the audit notices were posted and that the accurate information was provided to the population of where to send the correspondences.</p> <p>Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with the requirements of this standard.</p>
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<b>115.403</b>	<b>Audit contents and findings</b>
	<b>Auditor Overall Determination:</b> Audited at Agency Level
	<b>Auditor Discussion</b>

<b>Appendix: Provision Findings</b>		
<b>115.11 (a)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment?	yes
	Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment?	yes
<b>115.11 (c)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.)	yes
	Does the PREA compliance manager have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.)	yes
<b>115.12 (a)</b>	<b>Contracting with other entities for the confinement of inmates</b>	
	If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	yes
<b>115.12 (b)</b>	<b>Contracting with other entities for the confinement of inmates</b>	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	yes
<b>115.13 (a)</b>	<b>Supervision and monitoring</b>	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional	yes

	practices?	
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any applicable State or local laws, regulations, or standards?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes
<b>115.13 (b)</b>	<b>Supervision and monitoring</b>	

	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	yes
<b>115.13 (c)</b>	<b>Supervision and monitoring</b>	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes
<b>115.13 (d)</b>	<b>Supervision and monitoring</b>	
	Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment?	yes
	Is this policy and practice implemented for night shifts as well as day shifts?	yes
	Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility?	yes
<b>115.14 (a)</b>	<b>Youthful inmates</b>	
	Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
<b>115.14 (b)</b>	<b>Youthful inmates</b>	
	In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na

	In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
<b>115.14 (c)</b>	<b>Youthful inmates</b>	
	Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
<b>115.15 (a)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes
<b>115.15 (b)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates, except in exigent circumstances? (N/A if the facility does not have female inmates.)	na
	Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A if the facility does not have female inmates.)	na
<b>115.15 (c)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female inmates (N/A if the facility does not have female inmates)?	na
<b>115.15 (d)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility have policies that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or	yes

	genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	
	Does the facility have procedures that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?	yes
<b>115.15 (e)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?	yes
	If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes
<b>115.15 (f)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
<b>115.16 (a)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	Does the agency take appropriate steps to ensure that inmates with disabilities have an 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, including: inmates who are deaf or hard of hearing?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an 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, including: inmates who are blind or have low vision?	yes

	Does the agency take appropriate steps to ensure that inmates with disabilities have an 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, including: inmates who have intellectual disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an 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, including: inmates who have psychiatric disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an 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, including: inmates who have speech disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an 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, including: Other (if "other," please explain in overall determination notes.)	yes
	Do such steps include, when necessary, ensuring effective communication with inmates who are deaf or hard of hearing?	yes
	Do such steps include, when necessary, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have intellectual disabilities?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: are blind or have low vision?	yes
<b>115.16 (b)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	

	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
<b>115.16 (c)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance 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 under §115.64, or the investigation of the inmate's allegations?	yes
<b>115.17 (a)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to	

	consent or refuse?	
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	
<b>115.17 (b) Hiring and promotion decisions</b>		
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates?	
	Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor who may have contact with inmates?	
<b>115.17 (c) Hiring and promotion decisions</b>		
	Before hiring new employees who may have contact with inmates, does the agency perform a criminal background records check?	
	Before hiring new employees who may have contact with inmates, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	
<b>115.17 (d) Hiring and promotion decisions</b>		
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	
<b>115.17 (e) Hiring and promotion decisions</b>		
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	
<b>115.17 (f) Hiring and promotion decisions</b>		
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	
	Does the agency ask all applicants and employees who may have	

	contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	
<b>115.17 (g)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	
<b>115.17 (h)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	
<b>115.18 (a)</b>	<b>Upgrades to facilities and technologies</b>	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	na
<b>115.18 (b)</b>	<b>Upgrades to facilities and technologies</b>	
	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	
<b>115.21 (a)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the	yes

	agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	
<b>115.21 (b)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
<b>115.21 (c)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
<b>115.21 (d)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	yes

	Has the agency documented its efforts to secure services from rape crisis centers?	yes
<b>115.21 (e)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
<b>115.21 (f)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	yes
<b>115.21 (h)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	yes
<b>115.22 (a)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes
<b>115.22 (b)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes

	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes
<b>115.22 (c)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	yes
<b>115.31 (a)</b>	<b>Employee training</b>	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes

	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
<b>115.31 (b)</b>	<b>Employee training</b>	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes
<b>115.31 (c)</b>	<b>Employee training</b>	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
<b>115.31 (d)</b>	<b>Employee training</b>	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
<b>115.32 (a)</b>	<b>Volunteer and contractor training</b>	
	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
<b>115.32 (b)</b>	<b>Volunteer and contractor training</b>	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes
<b>115.32 (c)</b>	<b>Volunteer and contractor training</b>	

	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
<b>115.33 (a)</b>	<b>Inmate education</b>	
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes
<b>115.33 (b)</b>	<b>Inmate education</b>	
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes
<b>115.33 (c)</b>	<b>Inmate education</b>	
	Have all inmates received the comprehensive education referenced in 115.33(b)?	yes
	Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	yes
<b>115.33 (d)</b>	<b>Inmate education</b>	
	Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are deaf?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled?	yes

	Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills?	yes
<b>115.33 (e)</b>	<b>Inmate education</b>	
	Does the agency maintain documentation of inmate participation in these education sessions?	yes
<b>115.33 (f)</b>	<b>Inmate education</b>	
	In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats?	yes
<b>115.34 (a)</b>	<b>Specialized training: Investigations</b>	
	In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators receive training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
<b>115.34 (b)</b>	<b>Specialized training: Investigations</b>	
	Does this specialized training include techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include proper use of Miranda and Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
<b>115.34 (c)</b>	<b>Specialized training: Investigations</b>	

	Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
<b>115.35 (a)</b>	<b>Specialized training: Medical and mental health care</b>	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
<b>115.35 (b)</b>	<b>Specialized training: Medical and mental health care</b>	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams or the agency does not employ medical staff.)	na
<b>115.35 (c)</b>	<b>Specialized training: Medical and mental health care</b>	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental	yes

	health care practitioners who work regularly in its facilities.)	
<b>115.35 (d)</b>	<b>Specialized training: Medical and mental health care</b>	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.)	yes
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	yes
<b>115.41 (a)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
	Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
<b>115.41 (b)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
<b>115.41 (c)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes
<b>115.41 (d)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate?	yes
	Does the intake screening consider, at a minimum, the following	yes

	criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated?	
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10) Whether the inmate is detained solely for civil immigration purposes?	yes
<b>115.41 (e)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: history of prior institutional violence or sexual abuse?	yes
<b>115.41 (f)</b>	<b>Screening for risk of victimization and abusiveness</b>	

	Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes
<b>115.41 (g) Screening for risk of victimization and abusiveness</b>		
	Does the facility reassess an inmate's risk level when warranted due to a referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes
<b>115.41 (h) Screening for risk of victimization and abusiveness</b>		
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes
<b>115.41 (i) Screening for risk of victimization and abusiveness</b>		
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates?	yes
<b>115.42 (a) Use of screening information</b>		
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of	yes

	being sexually abusive, to inform: Work Assignments?	
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
<b>115.42 (b)</b>	<b>Use of screening information</b>	
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes
<b>115.42 (c)</b>	<b>Use of screening information</b>	
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems?	yes
<b>115.42 (d)</b>	<b>Use of screening information</b>	
	Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?	yes
<b>115.42 (e)</b>	<b>Use of screening information</b>	
	Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes
<b>115.42 (f)</b>	<b>Use of screening information</b>	
	Are transgender and intersex inmates given the opportunity to	yes

	shower separately from other inmates?	
<b>115.42 (g)</b>	<b>Use of screening information</b>	
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
<b>115.43 (a)</b>	<b>Protective Custody</b>	
	Does the facility always refrain from placing 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?	yes
	If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment?	yes
<b>115.43 (b)</b>	<b>Protective Custody</b>	
	Do inmates who are placed in segregated housing because they	yes

	are at high risk of sexual victimization have access to: Programs to the extent possible?	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	na
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	na
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	na
<b>115.43 (c)</b>	<b>Protective Custody</b>	
	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes
<b>115.43 (d)</b>	<b>Protective Custody</b>	
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation	yes

	can be arranged?	
<b>115.43 (e)</b>	<b>Protective Custody</b>	
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes
<b>115.51 (a)</b>	<b>Inmate reporting</b>	
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes
<b>115.51 (b)</b>	<b>Inmate reporting</b>	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	na
<b>115.51 (c)</b>	<b>Inmate reporting</b>	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
<b>115.51 (d)</b>	<b>Inmate reporting</b>	

	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
<b>115.52 (a)</b>	<b>Exhaustion of administrative remedies</b>	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	yes
<b>115.52 (b)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (c)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (d)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision,	yes

	does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	
	At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (e)</b>	<b>Exhaustion of administrative remedies</b>	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (f)</b>	<b>Exhaustion of administrative remedies</b>	
	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.).	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days?	yes

	(N/A if agency is exempt from this standard.)	
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (g)</b>	<b>Exhaustion of administrative remedies</b>	
	If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes
<b>115.53 (a)</b>	<b>Inmate access to outside confidential support services</b>	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies? (N/A if the facility never has persons detained solely for civil immigration purposes.)	na
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes
<b>115.53 (b)</b>	<b>Inmate access to outside confidential support services</b>	
	Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes
<b>115.53 (c)</b>	<b>Inmate access to outside confidential support services</b>	
	Does the agency maintain or attempt to enter into memoranda of	yes

	understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse?	
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes
<b>115.54 (a)</b>	<b>Third-party reporting</b>	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate?	yes
<b>115.61 (a)</b>	<b>Staff and agency reporting duties</b>	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes
<b>115.61 (b)</b>	<b>Staff and agency reporting duties</b>	
	Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes
<b>115.61 (c)</b>	<b>Staff and agency reporting duties</b>	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of	yes

	confidentiality, at the initiation of services?	
<b>115.61 (d)</b>	<b>Staff and agency reporting duties</b>	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes
<b>115.61 (e)</b>	<b>Staff and agency reporting duties</b>	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes
<b>115.62 (a)</b>	<b>Agency protection duties</b>	
	When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate?	yes
<b>115.63 (a)</b>	<b>Reporting to other confinement facilities</b>	
	Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes
<b>115.63 (b)</b>	<b>Reporting to other confinement facilities</b>	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes
<b>115.63 (c)</b>	<b>Reporting to other confinement facilities</b>	
	Does the agency document that it has provided such notification?	yes
<b>115.63 (d)</b>	<b>Reporting to other confinement facilities</b>	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes
<b>115.64 (a)</b>	<b>Staff first responder duties</b>	
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report	yes

	required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
<b>115.64 (b)</b>	<b>Staff first responder duties</b>	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
<b>115.65 (a)</b>	<b>Coordinated response</b>	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes
<b>115.66 (a)</b>	<b>Preservation of ability to protect inmates from contact with abusers</b>	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	
<b>115.67 (a)</b>	<b>Agency protection against retaliation</b>	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate	yes

	with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
<b>115.67 (b)</b>	<b>Agency protection against retaliation</b>	
	Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes
<b>115.67 (c)</b>	<b>Agency protection against retaliation</b>	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes?	yes

	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes
<b>115.67 (d)</b>	<b>Agency protection against retaliation</b>	
	In the case of inmates, does such monitoring also include periodic status checks?	yes
<b>115.67 (e)</b>	<b>Agency protection against retaliation</b>	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
<b>115.68 (a)</b>	<b>Post-allegation protective custody</b>	
	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	yes
<b>115.71 (a)</b>	<b>Criminal and administrative agency investigations</b>	
	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
<b>115.71 (b)</b>	<b>Criminal and administrative agency investigations</b>	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?	yes
<b>115.71 (c)</b>	<b>Criminal and administrative agency investigations</b>	
	Do investigators gather and preserve direct and circumstantial	yes

	evidence, including any available physical and DNA evidence and any available electronic monitoring data?	
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes
<b>115.71 (d)</b>	<b>Criminal and administrative agency investigations</b>	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes
<b>115.71 (e)</b>	<b>Criminal and administrative agency investigations</b>	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
<b>115.71 (f)</b>	<b>Criminal and administrative agency investigations</b>	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes
	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
<b>115.71 (g)</b>	<b>Criminal and administrative agency investigations</b>	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
<b>115.71 (h)</b>	<b>Criminal and administrative agency investigations</b>	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
<b>115.71 (i)</b>	<b>Criminal and administrative agency investigations</b>	

	Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes
<b>115.71 (j)</b>	<b>Criminal and administrative agency investigations</b>	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?	yes
<b>115.71 (l)</b>	<b>Criminal and administrative agency investigations</b>	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
<b>115.72 (a)</b>	<b>Evidentiary standard for administrative investigations</b>	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
<b>115.73 (a)</b>	<b>Reporting to inmates</b>	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes
<b>115.73 (b)</b>	<b>Reporting to inmates</b>	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	yes
<b>115.73 (c)</b>	<b>Reporting to inmates</b>	
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit?	yes
	Following an inmate's allegation that a staff member has	yes

	committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes
<b>115.73 (d) Reporting to inmates</b>		
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	yes
<b>115.73 (e) Reporting to inmates</b>		
	Does the agency document all such notifications or attempted notifications?	yes
<b>115.76 (a) Disciplinary sanctions for staff</b>		
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
<b>115.76 (b) Disciplinary sanctions for staff</b>		
	Is termination the presumptive disciplinary sanction for staff who	yes

	have engaged in sexual abuse?	
<b>115.76 (c)</b>	<b>Disciplinary sanctions for staff</b>	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes
<b>115.76 (d)</b>	<b>Disciplinary sanctions for staff</b>	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies(unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes
<b>115.77 (a)</b>	<b>Corrective action for contractors and volunteers</b>	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
<b>115.77 (b)</b>	<b>Corrective action for contractors and volunteers</b>	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes
<b>115.78 (a)</b>	<b>Disciplinary sanctions for inmates</b>	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
<b>115.78 (b)</b>	<b>Disciplinary sanctions for inmates</b>	

	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes
<b>115.78 (c)</b>	<b>Disciplinary sanctions for inmates</b>	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?	yes
<b>115.78 (d)</b>	<b>Disciplinary sanctions for inmates</b>	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits?	yes
<b>115.78 (e)</b>	<b>Disciplinary sanctions for inmates</b>	
	Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes
<b>115.78 (f)</b>	<b>Disciplinary sanctions for inmates</b>	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation?	yes
<b>115.78 (g)</b>	<b>Disciplinary sanctions for inmates</b>	
	If the agency prohibits all sexual activity between inmates, does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes
<b>115.81 (a)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison).	yes
<b>115.81 (b)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	

	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	yes
<b>115.81 (c)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a jail).	yes
<b>115.81 (d)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes
<b>115.81 (e)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	yes
<b>115.82 (a)</b>	<b>Access to emergency medical and mental health services</b>	
	Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes
<b>115.82 (b)</b>	<b>Access to emergency medical and mental health services</b>	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes

<b>115.82 (c)</b>	<b>Access to emergency medical and mental health services</b>	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes
<b>115.82 (d)</b>	<b>Access to emergency medical and mental health services</b>	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
<b>115.83 (a)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
<b>115.83 (b)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes
<b>115.83 (c)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
<b>115.83 (d)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na
<b>115.83 (e)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	If pregnancy results from the conduct described in paragraph §	na

	115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	
<b>115.83 (f)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
<b>115.83 (g)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
<b>115.83 (h)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	yes
<b>115.86 (a)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes
<b>115.86 (b)</b>	<b>Sexual abuse incident reviews</b>	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
<b>115.86 (c)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes
<b>115.86 (d)</b>	<b>Sexual abuse incident reviews</b>	

	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
<b>115.86 (e)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
<b>115.401 (h)</b>	<b>Frequency and scope of audits</b>	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes
<b>115.401 (i)</b>	<b>Frequency and scope of audits</b>	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes
<b>115.401 (m)</b>	<b>Frequency and scope of audits</b>	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes

<b>115.401 (n)</b>	<b>Frequency and scope of audits</b>	
	Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel?	yes

# PREA Agency Audit Report: Final

**Name of Agency:** Texas Department of Criminal Justice

**Facility Type:** Prison / Jail

**Date Interim Report Submitted:** NA

**Date Final Report Submitted:** 09/15/2023

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input type="checkbox"/>
<b>Auditor Full Name as Signed:</b> Marc Coudriet	<b>Date of Signature:</b> 09/15/2023

AUDITOR INFORMATION	
<b>Auditor name:</b>	Coudriet, Marc
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<b>Start Date of On-Site Audit:</b>	
<b>End Date of On-Site Audit:</b>	

AGENCY INFORMATION	
<b>Name of agency:</b>	Texas Department of Criminal Justice
<b>Governing authority or parent agency (if applicable):</b>	
<b>Physical Address:</b>	861 Interstate 45, Huntsville, Texas - 77320
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<b>Telephone number:</b>	8005350283

<b>Agency Chief Executive Officer Information:</b>	
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<b>Agency-Wide PREA Coordinator Information</b>			
<b>Name:</b>	Cassandra McGilbra	<b>Email Address:</b>	cassandra.mcgilbra@tdcj.texas.gov

## **Agency AUDIT FINDINGS**

### **Summary of Audit Findings**

The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.

Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.

#### **Number of standards exceeded:**

2	<ul style="list-style-type: none"> <li>• 115.11 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</li> <li>• 115.12 - Contracting with other entities for the confinement of inmates</li> </ul>
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#### **Number of standards met:**

8
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#### **Number of standards not met:**

0
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<b>Standards</b>	
<b>Auditor Overall Determination Definitions</b>	
<ul style="list-style-type: none"> <li>• Exceeds Standard (Substantially exceeds requirement of standard)</li> <li>• Meets Standard (substantial compliance; complies in all material ways with the stand for the relevant review period)</li> <li>• Does Not Meet Standard (requires corrective actions)</li> </ul>	
<b>Auditor Discussion Instructions</b>	
<p>Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.</p>	

<b>115.11</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<b>Auditor Discussion</b>
	<p>115.11(a)</p> <p>POLICY AND DOCUMENT REVIEW:</p> <p>Pre-Audit Questionnaire.</p> <p>TDCJ Safe Prisons/PREA Plan.</p> <p>Agency Zero Tolerance statement.</p> <p>Organizational charts, interviews, and memos.</p> <p>FINDINGS:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan, address the requirements of this provision. The agency mandates a zero-tolerance policy towards all forms of sexual abuse and sexual harassment and outlines the agency's strategies on preventing, detecting, and responding to such conduct. Agency policies addressed "Preventing"</p>

sexual abuse and sexual harassment through the designation of a PREA Coordinator and PREA Compliance Manager, Criminal History Background Checks (Staff, Contractors, and Volunteers, as applicable), Training (Staff, Volunteers, and Contractors), Staffing, Intake Screening, Classification, Inmate Education, Posting of Signage (PREA Posters, etc....), and Contract Monitoring. The policies addressed "Detecting" sexual abuse and sexual harassment through Training (Staff, Volunteers, and Contractors), and Intake Screening.

The policies addressed "Responding" to allegations of sexual abuse and sexual harassment through Reporting, Investigations, Victim Services, Medical and Mental Health Services, Disciplinary Sanctions for Staff (including notification of licensing agencies), Incident Review Teams, and Data Collections and Analysis.

The Auditor noted the Inmate Handbook, PREA Posters, and PREA Brochure do address sexual abuse by another Inmate, and the Inmate Handbook does address sanctions for Inmates when involved in such conduct. Based on staff interviews it was noted TDCJ staff closely monitor for Inmate-on-Inmate sexual misconduct in accordance with PREA, allegations are reported and investigated, and inmates are held accountable.

115.11(b)

**POLICY AND DOCUMENT REVIEW:**

Agency Policies and TDCJ Safe Prisons/PREA Plan.

Agency's organizational chart.

**INTERVIEWS:**

PREA Coordinator.

**FINDINGS:**

Agency Policies and TDCJ Safe Prisons/PREA Plan., addresses the position of the PREA Coordinator, which outlines the roles and responsibilities of the position and calls for the position being allowed enough time and authority to develop, implement, and oversee Agency efforts to comply with the PREA standards in each facility.

The agency's organizational chart reflects that the PREA Coordinator position is an upper-level position and is agency-wide. The PREA Coordinator position reports to the Texas Board of Criminal Justice.

The PREA Coordinator was interviewed and reported having enough time to focus on the PREA standards from and the freedom to divert responsibilities to other staff as needed to focus on the audit.

A review of the agency policy, agency's organization chart, and based on the interview, the designated agency's PREA Coordinator, the Auditor determined the agency demonstrates it meets the requirements of this provision of this standard.

	<p>115.11(c)</p> <p><b>POLICY AND DOCUMENT REVIEW:</b></p> <p>Agency Policy ED 03.03.</p> <p>Agency's organizational chart.</p> <p><b>INTERVIEWS:</b></p> <p>PREA Coordinator.</p> <p><b>FINDINGS:</b></p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan., addresses the requirements for this provision. The agency's organizational chart reflects that the Unit PREA Compliance Manager's position reports to their facility Warden who reports directly to their assigned Regional Director. The PREA Coordinator oversees 6 Regional coordinators who monitor and support prison operations, including the agency's PREA Program. There are 125 Unit PREA Mangers and 6 regional coordinators who are responsible for reporting PREA related information to the Agency PREA Coordinator. A review of the agency policy, agency's organization chart, and based on the interview with the PREA Coordinator, the Auditor determined the agency demonstrates it exceeds the requirements of this provision of this standard.</p>
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<b>115.12</b>	<b>Contracting with other entities for the confinement of inmates</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<b>Auditor Discussion</b>
	<p>115.12(a)</p> <p><b>POLICY AND DOCUMENT REVIEW:</b></p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan.</p> <p><b>FINDINGS:</b></p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan, addresses this provision. The agency reported there were a total of twenty-seven contracts for thirty-two facilities for the confinement of inmates that the agency had entered or renewed with private entities or other government agencies.</p> <p>A review of all the contracts reflected the entity's obligation to adopt and comply with the PREA standards. A review of the agency policy and the (27) contracts reflected all the contracts met the required entity's obligation to adopt and comply with the PREA</p>

	<p>standards.</p> <p>115.12(b)</p> <p>POLICY AND DOCUMENT REVIEW:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan.</p> <p>INTERVIEWS:</p> <p>Contract Administrator.</p> <p>FINDINGS:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan, addresses this provision. The agency reported the (27) agency-wide contracts require the agency to monitor the contractor's compliance with the PREA standards.</p> <p>The agency's Contract Administrator was interviewed and reported he is required to maintain regular contact with every inmate placed in a contracting facility. If there are concerns, agency protocol requires the inmate be removed from the facility and the facility allows time to make corrective action and address the concerns.</p> <p>Corrective actions are addressed before the facility is reconsidered. Notification would also be made to law enforcement.</p> <p>The Contract Administrator stated there are contract monitors on-site that provide continuous monitoring of the contracted facility. The Contract Administrator has the authority to perform an administrative review of any sign of suspected non-compliance. A finding of non-compliance during the administrative review could result in fines, corrective action, contract termination and referral for criminal charges, if applicable.</p> <p>The Contract Administrator annually collects credentialing documentation for each facility: facility license; staff licenses or certifications; daily schedule; and monitoring reports or the licensing agency's website regarding the facility's status; and tours the facility.</p> <p>New facilities being considered for contracting purposes follow a vetting process, including reference checks with other counties, with all information being presented to the agency's leadership for review and approval. All placements involve the input of the inmate being considered for placement in the facility. The Contract Administrator reported PREA compliance results are completed and that the PREA Coordinator has implemented a tracking process for this. A review of the agency policy, agency contracts and an interview with the contract administrator and PREA Coordinator demonstrated the agency exceed the requirements of this standard.</p>
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<b>115.17</b>	<b>Hiring and promotion decisions</b>
	<b>Auditor Overall Determination:</b> Meets Standard

**Auditor Discussion**

115.17(a)

**POLICY AND DOCUMENT REVIEW:**

Agency Policies and TDCJ Safe Prisons/PREA Plan.

List of background checks on current employees.

**FINDINGS:**

Agency Policies and TDCJ Safe Prisons/PREA Plan. and a list of background checks on current employees, address this provision. Agency policy defines staff to include volunteer or contracted program services staff. The agency contractors and volunteers are all subjected to a criminal background check, including a background check. Criminal background checks for new hires and contractors are completed by HR Headquarters in Huntsville, Texas. Sampled HR files indicated timely criminal background checks. All files demonstrating the three required questions in this provision are included and staff affirmed by signing the form.

Recruitment files are handled and processed in HR Headquarters in Huntsville, Texas. Hiring occurs at multiple direct hire and academy sites throughout the state. The agency policies require job applicants to have background checks completed looking at any issue of prior sexual misconduct. All contractors are screened by using the same process.

The agency reported 9704 (100%) new employees/applicants background checks were made and 8 (100%) contractor background checks were completed in the past 12 months. Documentation and files were reviewed by the Auditor to confirm the process. Agency policies also require an annual re-check of all employees and contractual re-checks for contractors.

The agency policy does indicate that any employee/contractor misconduct or false reporting is subject to the possibility of termination of employment. The Administrative (Human Resources) Staff also indicated that the agency would respond to any request for information from an institutional employer seeking information on a former employee.

115.17(b)

**POLICY AND DOCUMENT REVIEW:**

Agency Policies and TDCJ Safe Prisons/PREA Plan.

**INTERVIEWS:**

Administrative (Human Resources) Staff.

**FINDINGS:**

Agency Policies and TDCJ Safe Prisons/PREA Plan., address this provision. The Auditor interviewed the Administrative (Human Resources) Staff. Staff reported, the agency has incorporated and implemented the "Affirmative Duty to Disclose," which all staff were required to affirm and sign. The form provides for a "material omissions" clause.

115.17(c)

**POLICY AND DOCUMENT REVIEW:**

Agency Policies and TDCJ Safe Prisons/PREA Plan.

**INTERVIEWS:**

Administrative (Human Resources) Staff.

**FINDINGS:**

Agency Policies and TDCJ Safe Prisons/PREA Plan, address this provision. The agency policy requires job applicants to have background checks completed looking at any issue of prior sexual misconduct. The background checks are completed prior to any inmate contact. All contractors are screened by using the same process. The Auditor interviewed the Administrative (Human Resources) Staff.

Criminal background checks for new hires and contractors are completed by HR Headquarters in Huntsville, Texas. Additionally, reference checks are conducted by contacting prior institutional employers.

115.17(d)

**POLICY AND DOCUMENT REVIEW:**

Agency Policies and TDCJ Safe Prisons/PREA Plan.

**INTERVIEWS:**

The Auditor interviewed the Administrative (Human Resources) Staff.

**FINDINGS:**

Agency Policies and TDCJ Safe Prisons/PREA Plan., addresses the elements of this provision. Agency policy defines staff to include volunteer or contracted program services staff. All staff are also subjected to a criminal history background check.

Criminal background checks for new hires and contractors are completed by HR Headquarters in Huntsville, Texas. Staff reported criminal background records checks are conducted on all new hires and contractors.

115.17(e)

**POLICY AND DOCUMENT REVIEW:**

Agency Policies and TDCJ Safe Prisons/PREA Plan. and supporting documentation.

**INTERVIEWS:**

Administrative (Human Resources) Staff.

**FINDINGS:**

Agency Policy addresses this provision. Agency policy requires criminal history checks will be conducted annually for staff and at least every two years for contractors and volunteers. All staff are provided the opportunity to self-disclose their arrest or history prior to the agency completing the background check. Criminal background checks for new hires and contractors are completed by HR Headquarters in Huntsville, Texas.

The Auditor interviewed the Administrative (Human Resources) Staff. Staff reported, criminal background records checks are subsequently conducted on all new hires and annually for staff and at least every two years for contractors and volunteers. A review of the agency policy and HR files, and staff interview indicate the agency has conducted criminal background records checks on all staff annually and meets the provision of this standard.

115.17(f)

**POLICY AND DOCUMENT REVIEW:**

Agency Policies and TDCJ Safe Prisons/PREA Plan.

HR Files.

**INTERVIEWS:**

Administrative (Human Resources) Staff.

**FINDINGS:**

Agency Policies and TDCJ Safe Prisons/PREA Plan, addresses this provision. The application process includes the "Affirmative Duty to Disclose" form, for new hires, volunteers and contractors, and a review of the HR files indicated this process was being implemented. All staff HR files reviewed indicated the forms had been signed in accordance with policy.

A review of agency policy and HR files, and staff interview, indicate the practice is in place and meets the requirements of this provision.

115.17(g)

**POLICY AND DOCUMENT REVIEW:**

Agency Policies and TDCJ Safe Prisons/PREA Plan.

**FINDINGS:**

	<p>Agency Policies and TDCJ Safe Prisons/PREA Plan., address this provision. Agency policy defines staff to include volunteer or contracted program services staff.</p> <p>115.17(h)</p> <p>POLICY AND DOCUMENT REVIEW:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan.</p> <p>INTERVIEWS:</p> <p>Administrative (Human Resources) Staff.</p> <p>FINDINGS:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan, address this provision. The Auditor interviewed the Administrative (Human Resources) Staff.</p> <p>Staff reported if the new potential employer secures a release form from the former employee, then the information will be released. Staff reported without the release form, HR will not disclose the information.</p>
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<b>115.18 Upgrades to facilities and technologies</b>	
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>115.18(a)</p> <p>INTERVIEWS:</p> <p>Interviews with the Agency Head.</p> <p>FINDINGS:</p> <p>Interviews revealed the agency and Unit Warden’s would consider the processes in place, priorities, inmate safety, future construction plans, mission support team and comprehensive monitoring prior to making any structural or technological changes in a facility. Additionally, TDCJ had made enhancements in response to a staffing analysis, new comprehensive video monitoring and tablets have been issued to 95% of the inmate population in TDCJ facilities. Future enhancement are planned when funding and resources are made available.</p> <p>115.18(b)</p> <p>INTERVIEWS:</p> <p>Interviews with the Agency Head.</p>

	<p><b>FINDINGS:</b></p> <p>Interviews revealed the agency and facility Warden would consider how such technology may enhance the agency’s ability to protect inmates from sexual abuse prior to implementing the video enhancements/upgrades.</p>
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<b>115.42</b>	<b>Use of screening information</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>115.42(a)</p> <p><b>POLICY AND DOCUMENT REVIEW:</b></p> <p>Agency Policy and the PREA Screen Tool.</p> <p><b>INTERVIEWS:</b></p> <p>PREA Compliance Manager.</p> <p><b>FINDINGS:</b></p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan, address this provision. The information obtained in the inmate screening process is used to make individualized determinations to ensure the inmates safety. This information is used to make decisions to place each inmate in appropriate housing, work, and program assignments. The placement decisions are made by a classification committee. Staff interviewed reported information secured through the screening process is used to determine the need for additional medical or mental health follow-up, and to make classification decisions based on risk factors.</p> <p>115.42(b)</p> <p><b>POLICY AND DOCUMENT REVIEW:</b></p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan.</p> <p><b>INTERVIEWS:</b></p> <p>PREA Coordinator.</p> <p><b>FINDINGS:</b></p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan, addresses this provision. Unit Safe Prisons Staff initiate the risk screening information, the information moves through classification. This information is only access by staff who has the needs to know. This information moves by a password protected automated system called Safe Prisons/</p>

	<p>PREA Automated Network System (SPPANS). The welfare of the inmate is always a high consideration. Medical and mental health staff conduct daily visits for any inmates placed in restrictive housing for PREA risk factors, which is only used as a last resort.</p> <p>115.42(c)</p> <p>POLICY AND DOCUMENT REVIEW:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan.</p> <p>INTERVIEWS:</p> <p>PREA Coordinator.</p> <p>FINDINGS:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan, addresses this provision.</p> <p>Staff interviewed reported the facility does not have special housing units designated for lesbian, gay, bisexual, transgender, or intersex inmates. All housing, program and work assignments are made on a case-by-case basis.</p>
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<b>115.66</b>	<b>Preservation of ability to protect inmates from contact with abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>115.66(a)</p> <p>POLICY AND DOCUMENT REVIEW:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan.</p> <p>INTERVIEWS:</p> <p>Agency Head</p> <p>FINDINGS:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan, address this provision. TDCJ does not engage in collective bargaining with staff.</p>

<b>115.87</b>	<b>Data collection</b>
	<b>Auditor Overall Determination:</b> Meets Standard

**Auditor Discussion**

115.87(a and c)

**POLICY AND DOCUMENT REVIEW:**

Agency Policies and TDCJ Safe Prisons/PREA Plan.

**FINDINGS:**

Agency Policies and TDCJ Safe Prisons/PREA Plan., addresses this provision.

A review of the reporting documentation reflected a comprehensive tracking system designed to maintain various elements for the required data for sexual abuse allegations as well as sexual harassment allegations.

One of the functions of the PREA Compliance Manager is to maintain this information. The tracking system contains information on all allegations of abuse, neglect and exploitation, and all serious incidents.

115.87(b)

**POLICY AND DOCUMENT REVIEW:**

Agency Policies and TDCJ Safe Prisons/PREA Plan.

**FINDINGS:**

Agency Policies and TDCJ Safe Prisons/PREA Plan, addresses this provision. A review of the facility tracking information reflected a comprehensive system designed to maintain various elements for the required data for sexual abuse and sexual harassment allegations.

115.87(d)

Agency Policies and TDCJ Safe Prisons/PREA Plan.

**FINDINGS:**

Agency Policies and TDCJ Safe Prisons/PREA Plan, addresses this provision. A review of the agency website reflects the comprehensive report is published and available to the public for all serious incidents to include sexual abuse and sexual harassment allegations.

115.87(e)

**POLICY AND DOCUMENT REVIEW:**

Agency Policies and TDCJ Safe Prisons/PREA Plan.

**FINDINGS:**

Agency Policies and TDCJ Safe Prisons/PREA Plan, addresses this provision.

	<p>115.87(f)</p> <p>POLICY AND DOCUMENT REVIEW:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan.</p> <p>FINDINGS:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan, addresses this provision.</p>
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<b>115.88</b>	<b>Data review for corrective action</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>115.88(a)</p> <p>POLICY AND DOCUMENT REVIEW:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan.</p> <p>Annual report.</p> <p>INTERVIEWS:</p> <p>PREA Coordinator.</p> <p>FINDINGS:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan, addresses this provision. A review of the annual report reflects all the elements required by this provision.</p> <p>Staff interviewed reported in detail the process followed when reviewing the data, identifying problem areas and corrective action, and preparing the annual report.</p> <p>115.88(b)</p> <p>POLICY AND DOCUMENT REVIEW:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan.</p> <p>FINDINGS:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan, addresses this provision.</p> <p>115.88(c)</p> <p>POLICY AND DOCUMENT REVIEW:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan.</p>

	<p>Annual report.</p> <p>INTERVIEWS:</p> <p>PREA Coordinator.</p> <p>FINDINGS:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan, addresses this provision. Staff interviewed reported the Annual report is reviewed and approved by the Agency Senior Staff and posted on the agency website.</p> <p>115.88(d)</p> <p>POLICY AND DOCUMENT REVIEW:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan.</p> <p>INTERVIEWS:</p> <p>PREA Coordinator.</p> <p>FINDINGS:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan, addresses this provision. Staff interviewed reported all personal identifying information and personal health information is redacted. The reports would reflect only basic demographic information.</p>
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<b>115.89 Data storage, publication, and destruction</b>	
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p><b>Auditor Discussion</b></p> <p>115.89(a)</p> <p>POLICY AND DOCUMENT REVIEW:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan.</p> <p>INTERVIEWS:</p> <p>PREA Coordinator.</p> <p>FINDINGS:</p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan, addresses this provision. Staff interviewed reported access to any data is restricted to the Agency Senior Staff for operational use and is password protected.</p>

	<p>115.89(b)</p> <p><b>POLICY AND DOCUMENT REVIEW:</b></p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan.</p> <p>Aggregated data on website.</p> <p><b>FINDINGS:</b></p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan, addresses this provision. The data posted on the agency website includes agency data from previous years to present.</p> <p>115.89(c)</p> <p><b>POLICY AND DOCUMENT REVIEW:</b></p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan.</p> <p>Aggregated data on agency website.</p> <p><b>FINDINGS:</b></p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan, addresses this provision. The data posted on the agency website has all personal identifiers redacted.</p> <p>115.89(d)</p> <p><b>POLICY AND DOCUMENT REVIEW:</b></p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan.</p> <p>Aggregated data on agency website.</p> <p><b>FINDINGS:</b></p> <p>Agency Policies and TDCJ Safe Prisons/PREA Plan, addresses this provision. The data and records collected are to be retained in accordance with state and agency retention requirements.</p>
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<b>115.401</b>	<b>Frequency and scope of audits</b>
	<b>Auditor Overall Determination:</b>
	<b>Auditor Discussion</b>
	<p>115.401(a)</p> <p><b>POLICY AND DOCUMENT REVIEW:</b></p> <p>Aggregated data on website.</p>

FINDINGS:

The agency ensured that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once.

115.401(b)

POLICY AND DOCUMENT REVIEW:

Aggregated data on website.

FINDINGS:

This unit's audit is in Year 2 / Cycle 4 and the agency is working diligently on their audit cycle plan and has planned future audits. The data was posted on the agency website.

115.401(h)

POLICY AND DOCUMENT REVIEW:

There is no agency policy for this provision.

FINDINGS:

The Auditor had full access to, and the ability to observe, all areas of the facility. The Auditor reviewed areas of this facility multiple times during the onsite review.

115.401(i)

POLICY AND DOCUMENT REVIEW:

There is no agency policy for this provision.

FINDINGS:

The Auditor was permitted to request and did receive copies of any relevant documents needed for this audit.

115.401(m)

POLICY AND DOCUMENT REVIEW:

There is no agency policy for this provision.

FINDINGS:

The Auditor was permitted to conduct private interviews with inmates. The staff at this facility were very professional and efficient with regards to this provision.

115.401(n)

POLICY AND DOCUMENT REVIEW:

	<p>There is no agency policy for this provision.</p> <p>FINDINGS:</p> <p>Inmates are permitted to send confidential information or correspondence to PREA Auditors in the same manner as if they were communicating with legal counsel.</p>
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<b>115.403</b>	<b>Audit contents and findings</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>115.403(f)</p> <p>POLICY AND DOCUMENT REVIEW:</p> <p>There is no agency policy for this provision.</p> <p>FINDINGS:</p> <p>TDCJ has published on its agency website all Final Audit Reports within 90 days of issuance by the Auditor. This information is made available to the public and is in accordance with 28 C.F.R. § 115.405.</p>

<b>Appendix: Provision Findings</b>		
<b>115.11 (b)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	Has the agency employed or designated an agency-wide PREA Coordinator?	yes
	Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
	Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities?	yes
<b>115.12 (a)</b>	<b>Contracting with other entities for the confinement of inmates</b>	
	If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	yes
<b>115.12 (b)</b>	<b>Contracting with other entities for the confinement of inmates</b>	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	yes
<b>115.17 (a)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity	yes

	described in the two bullets immediately above?	
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
<b>115.17 (b)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates?	yes
	Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor who may have contact with inmates?	yes
<b>115.17 (c)</b>	<b>Hiring and promotion decisions</b>	
	Before hiring new employees who may have contact with inmates, does the agency perform a criminal background records check?	yes
	Before hiring new employees who may have contact with inmates, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
<b>115.17 (d)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes
<b>115.17 (e)</b>	<b>Hiring and promotion decisions</b>	

	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes
<b>115.17 (f)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
<b>115.17 (g)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
<b>115.17 (h)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
<b>115.18 (a)</b>	<b>Upgrades to facilities and technologies</b>	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	yes
<b>115.18 (b)</b>	<b>Upgrades to facilities and technologies</b>	
	If the agency installed or updated a video monitoring system,	yes

	electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	
<b>115.42 (c)</b>	<b>Use of screening information</b>	
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems?	yes
<b>115.66 (a)</b>	<b>Preservation of ability to protect inmates from contact with abusers</b>	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes
<b>115.87 (a)</b>	<b>Data collection</b>	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
<b>115.87 (b)</b>	<b>Data collection</b>	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
<b>115.87 (c)</b>	<b>Data collection</b>	

	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes
<b>115.87 (d)</b>	<b>Data collection</b>	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
<b>115.87 (e)</b>	<b>Data collection</b>	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	yes
<b>115.87 (f)</b>	<b>Data collection</b>	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes
<b>115.88 (a)</b>	<b>Data review for corrective action</b>	
	Does the agency review 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, including by: Identifying problem areas?	yes
	Does the agency review 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, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review 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, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes
<b>115.88 (b)</b>	<b>Data review for corrective action</b>	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes

<b>115.88 (c)</b>	<b>Data review for corrective action</b>	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes
<b>115.88 (d)</b>	<b>Data review for corrective action</b>	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes
<b>115.89 (a)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
<b>115.89 (b)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
<b>115.89 (c)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
<b>115.89 (d)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
<b>115.401 (a)</b>	<b>Frequency and scope of audits</b>	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	yes
<b>115.401 (b)</b>	<b>Frequency and scope of audits</b>	
	Is this the first year of the current audit cycle? (Note: a "no" response does not impact overall compliance with this standard.)	no

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