

PREA Facility Audit Report: Final

Name of Facility: Lynaugh-Fort Stockton Complex

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 02/28/2025

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	☐
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	☐
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.	☐
Auditor Full Name as Signed: Matthew Taylor	Date of Signature: 02/28/2025

AUDITOR INFORMATION	
Auditor name:	Taylor, Matthew
Email:	matthew@preaauditing.com
Start Date of On-Site Audit:	01/22/2025
End Date of On-Site Audit:	01/24/2025

FACILITY INFORMATION	
Facility name:	Lynaugh-Fort Stockton Complex
Facility physical address:	1098 South Highway 2037, Fort Stockton, Texas - 79735
Facility mailing address:	2 Financial Plaza Suite 105, Huntsville, Texas - 77340

Primary Contact

Name:	Brenda German
Email Address:	brenda.german@tdcj.texas.gov
Telephone Number:	9364373439

Warden/Jail Administrator/Sheriff/Director

Name:	Benny Bundy
Email Address:	Benny.Bundy@tdcj.texas.gov
Telephone Number:	4323952938x1100

Facility PREA Compliance Manager

Name:	Melissa Gutierrez
Email Address:	melissa.gutierrez@tdcj.texas.gov
Telephone Number:	(432) 336-7676
Name:	Conrado Palacios
Email Address:	conrado.palacios@tdcj.texas.gov
Telephone Number:	(432) 395-2938

Facility Health Service Administrator On-site

Name:	Luz Liceaga
Email Address:	luliceag@tthus.edu
Telephone Number:	4323952938

Facility Characteristics

Designed facility capacity:	2022
Current population of facility:	1976
Average daily population for the past 12 months:	1715

Has the facility been over capacity at any point in the past 12 months?	No
What is the facility's population designation?	Men/boys
In the past 12 months, which population(s) has the facility held? Select all that apply (Nonbinary describes a person who does not identify exclusively as a boy/man or a girl/woman. Some people also use this term to describe their gender expression. For definitions of "intersex" and "transgender," please see https://www.prearesourcecenter.org/standard/115-5)	
Age range of population:	26-78/18-84
Facility security levels/inmate custody levels:	G1, G2, G4, Transient/G1, G2, Transient
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	192
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	37
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	25

AGENCY INFORMATION	
Name of agency:	Texas Department of Criminal Justice
Governing authority or parent agency (if applicable):	
Physical Address:	861 Interstate 45, Huntsville, Texas - 77320
Mailing Address:	PO Box 99, Huntsville, Texas - 77340

Telephone number:	8005350283
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Agency Chief Executive Officer Information:	
Name:	Bryan Collier
Email Address:	bryan.collier@tdcj.texas.gov
Telephone Number:	936-437-2101

Agency-Wide PREA Coordinator Information			
Name:	Cassandra McGilbra	Email Address:	cassandra.mcgilbra@tdcj.texas.gov

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:	
1	115.31 - Employee training
Number of standards met:	
36	
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	8

has no independent responsibility for the operation of these standards.	
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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:	
0	
Number of standards met:	
10	
Number of standards not met:	
0	

POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

97. Start date of the onsite portion of the audit:	2025-01-22
97. End date of the onsite portion of the audit:	2025-01-24

Outreach

97. 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?	☒ Yes ☐ No
97. Identify the community-based organization(s) or victim advocates with whom you communicated:	The auditor had contact with Just Detention International and Trans Pride Initiative.

AUDITED FACILITY INFORMATION

97. Designated facility capacity:	2022
97. Average daily population for the past 12 months:	1715
97. Number of inmate/resident/detainee housing units:	10
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	☐ Yes ☒ No ☐ 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

18. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	1981
19. 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:	470
20. 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:	0
21. 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:	70
22. 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:	16
23. 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:	137
24. 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:	19

25. 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:	0
26. 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:	1
27. 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:	37
28. 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:	2
29. 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):	No text provided.
Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit	
30. 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:	185
31. 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:	49

32. 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:	42
33. 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:	No text provided.
INTERVIEWS	
Inmate/Resident/Detainee Interviews	
Random Inmate/Resident/Detainee Interviews	
34. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:	21
35. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)	☒ Age ☒ Race ☒ Ethnicity (e.g., Hispanic, Non-Hispanic) ☒ Length of time in the facility ☒ Housing assignment ☐ Gender ☒ Other ☐ None
If "Other," describe:	Custody Level
36. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	The audit team 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. This information allowed the auditor to accurately select a random representation of the offender population from the facility.

37. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?	☒ Yes ☐ No
38. 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):	No text provided.
Targeted Inmate/Resident/Detainee Interviews	
39. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	24
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".	
40. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:	4
41. 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:	1

42. 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:	3
43. 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:	0
44. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:	☒ 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. ☐ The inmates/residents/detainees in this targeted category declined to be interviewed.
45. 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).	The facility reported there were no inmates identified as 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.
46. 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:	8
47. 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:	2

48. 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:	1
49. 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:	1
50. 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:	4
51. 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:	0
52. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:	☒ 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. ☐ The inmates/residents/detainees in this targeted category declined to be interviewed.

53. 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).	The facility reported there were no inmates 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.
54. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):	No text provided.
Staff, Volunteer, and Contractor Interviews	
Random Staff Interviews	
55. Enter the total number of RANDOM STAFF who were interviewed:	12
56. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)	☒ Length of tenure in the facility ☒ Shift assignment ☒ Work assignment ☒ Rank (or equivalent) ☒ Other (e.g., gender, race, ethnicity, languages spoken) ☐ None
If "Other," describe:	The audit team made an effort to capture equal interviews of both male and female staff working at the facility.
57. Were you able to conduct the minimum number of RANDOM STAFF interviews?	☒ Yes ☐ No

58. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No text provided.
Specialized Staff, Volunteers, and Contractor Interviews	
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.	
59. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):	16
60. Were you able to interview the Agency Head?	☒ Yes ☐ No
61. Were you able to interview the Warden/Facility Director/Superintendent or their designee?	☒ Yes ☐ No
62. Were you able to interview the PREA Coordinator?	☒ Yes ☐ No
63. Were you able to interview the PREA Compliance Manager?	☒ Yes ☐ No ☐ NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)

64. 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

	☐ Other
65. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?	☒ Yes ☐ No
66. Enter the total number of VOLUNTEERS who were interviewed:	1
67. Select which specialized VOLUNTEER role(s) were interviewed as part of this audit from the list below: (select all that apply)	☐ Education/programming ☐ Medical/dental ☐ Mental health/counseling ☒ Religious ☐ Other
68. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?	☒ Yes ☐ No
69. Enter the total number of CONTRACTORS who were interviewed:	2
70. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)	☐ Security/detention ☒ Education/programming ☒ Medical/dental ☐ Food service ☐ Maintenance/construction ☐ Other
71. Provide any additional comments regarding selecting or interviewing specialized staff.	No text provided.

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.

72. Did you have access to all areas of the facility?

☒ Yes

☐ No

Was the site review an active, inquiring process that included the following:

73. 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)?

☒ Yes

☐ No

74. 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)?

☒ Yes

☐ No

75. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?

☒ Yes

☐ No

76. Informal conversations with staff during the site review (encouraged, not required)?

☒ Yes

☐ No

77. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).	No text provided.
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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.

78. 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?	☒ Yes ☐ No
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79. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).	No text provided.
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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.

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

	# of sexual abuse allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual abuse	8	5	8	5
Staff-on-inmate sexual abuse	6	1	6	1
Total	14	6	14	6

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

	# of sexual harassment allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual harassment	6	0	6	0
Staff-on-inmate sexual harassment	1	0	1	0
Total	7	0	7	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.

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual abuse	0	1	7	0
Staff-on-inmate sexual abuse	0	1	3	2
Total	0	2	10	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.

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual harassment	0	0	6	0
Staff-on-inmate sexual harassment	0	0	1	0
Total	0	0	7	0

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

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

8

87. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	☒ Yes ☐ No ☐ NA (NA if you were unable to review any sexual abuse investigation files)
Inmate-on-inmate sexual abuse investigation files	
88. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	5
89. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	☒ Yes ☐ No ☐ NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
90. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	☒ Yes ☐ No ☐ NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
Staff-on-inmate sexual abuse investigation files	
91. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	3
92. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	☒ Yes ☐ No ☐ NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)

93. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	☒ Yes ☐ No ☐ NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
Sexual Harassment Investigation Files Selected for Review	
94. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:	3
95. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	☒ Yes ☐ No ☐ NA (NA if you were unable to review any sexual harassment investigation files)
Inmate-on-inmate sexual harassment investigation files	
96. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	2
97. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?	☐ Yes ☒ No ☐ NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)
98. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?	☒ Yes ☐ No ☐ NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)

Staff-on-inmate sexual harassment investigation files

99. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:

1

100. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?

☐ Yes

☒ No

☐ NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)

101. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?

☒ Yes

☐ No

☐ NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)

102. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.

No text provided.

SUPPORT STAFF INFORMATION**DOJ-certified PREA Auditors Support Staff**

103. 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.

☐ Yes

☒ No

Non-certified Support Staff

104. 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

105. Enter the TOTAL NUMBER OF NON-CERTIFIED SUPPORT who provided assistance at any point during this audit:

1

AUDITING ARRANGEMENTS AND COMPENSATION

106. 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

Standards	
Auditor Overall Determination Definitions	
- Exceeds Standard (Substantially exceeds requirement of standard) - Meets Standard (substantial compliance; complies in all material ways with the stand for the relevant review period) - Does Not Meet Standard (requires corrective actions)	
Auditor Discussion Instructions	
Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.	

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.11 Document Review: - Texas Department of Criminal Justice Executive Directive Safe Prisons Program ED-03.03 - Texas Department of Criminal Justice Safe Prisons/PREA Plan - Lynaugh/Fort Stockton Unit Organizational Chart Interviews: - Interview with facility PREA compliance manager Findings by Provision: 115.11 (a)

	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. 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. 115.11 (c) The Lynaugh/Fort Stockton Units have designated a PREA compliance managers as illustrated in the unit organizational chart. The PREA compliance managers have 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 Mangers. Based upon information contained in the PAQ, policies, procedures and interviews conducted, the facility is substantially compliant with this standard.
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115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Audited at Agency Level
	Auditor Discussion
	The auditor verified that an agency level audit was completed on 11/21/2024. All required agency level interviews were completed and a full compliance audit report was reviewed to verify compliance with this standard and all of its provisions.

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.13 Document Review: · Texas Department of Criminal Justice Security Staffing Plan AD-11.52

- 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 Fort Stockton Unit Staffing Plan
- Texas Department of Criminal Justice Lynaugh Unit Staffing Plan
- Lynaugh/Fort Stockton Unit Shift Rosters
- Multiple Lynaugh/Fort Stockton 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
- Examples of Unannounced Rounds
- Examples of Shift Rosters

Interviews:

- Interview with facility warden
- Interview with the facility PREA compliance manager
- Interview with intermediate and higher-level staff
- Interview with the PREA coordinator

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 inmates against abuse as evidenced by the provided staffing development plan process, the Lynaugh/Fort Stockton Units Staffing Plans 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 throughout the facilities.

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 Lynaugh/Fort Stockton Units Annual Staffing Plan 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 Lynaugh/Fort Stockton Units 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-level and higher-level facility staff confirming compliance with this provision.

The Lynaugh/Fort Stockton Units 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.
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115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.14 Document Review: · Texas Department of Criminal Justice Youthful Inmate Statement of Fact · Current Inmate Rosters Site Review Observations: · The auditor observed the entire facility and found no evidence of youthful inmates housed at the facility. Findings by Provision: 115.14 (a) (b) (c) The Lynaugh/Fort Stockton Units do not house youthful inmates at either facility. This was confirmed through inmate rosters, informal interviews with staff, informal interviews with the PREA compliance managers and an informal interview with the facility warden. Based upon information contained in the PAQ, policies, procedures, site review and interviews conducted, the facility is substantially compliant with this standard.

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.15 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Texas Department of Criminal Justice Administrative Directive Searches AD-03.22 · Statement of Fact for Lynaugh/Fort Stockton Units on Cross-Gender Searches

- Lynaugh/Fort Stockton Units Cross-Gender Search Log Examples
- Texas Department of Criminal Justice Post Order Examples
- Texas Department of Criminal Justice In-Service Training Program Training Blocks
- Texas Department of Criminal Justice Training Records and Database ED-12.10

Interviews:

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

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 Lynaugh/Fort Stockton Units do 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 inmates at the facility which further confirmed compliance with this provision.

115.15 (b)

The facility does not house female inmates at either the Lynaugh or Fort Stockton Units. This was confirmed by the auditor through site review observations, interviews with random inmates, interviews with random staff, a review of inmate rosters and interviews with the both the PREA compliance managers and facility warden.

115.15 (c)

The facility documents all cross-gender strip searches and cross-gender visual body cavity searches. The facility does not house female inmates at either the Lynaugh or Fort Stockton Units. This was confirmed by the auditor through site review observations, interviews with random inmates, interviews with random staff, a review of inmate rosters and interviews with the both the PREA compliance managers and facility warden.

115.15 (d)

The facility has implemented policies and procedures that enable inmates to shower, perform bodily functions, and change clothing without non-medical staff of the

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

The audit team conducted interviews with at least 12 random staff throughout the facility. All staff interviewed stated that they felt that inmates had as much privacy as could be afforded in a prison setting.

During the site review process this auditor concluded that inmates 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 inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it may be determined 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.

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

The audit team conducted interviews with transgender/intersex inmates at the facility. The inmates 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 inmates, 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 audit team 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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115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.16 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Texas Department of Criminal Justice Intake Procedures 6.05 · Texas Department of Criminal Justice Intake Procedures / Initial Orientation 1.10 · Texas Department of Criminal Justice Heath Services Liaison Facility Types List · Texas Department of Criminal Justice Inmates with Special Needs G.51.1 · Texas Department of Criminal Justice Referral of Inmates to the Developmental Disabilities Program A-08.03 · Texas Department of Criminal Justice Certified American Sign Language Interpreter Services G-51.5 · Limited English Proficient Inmate Rosters · Texas Department of Criminal Justice English, Spanish and Braille Inmate Orientation Materials · Texas Department of Criminal Justice Staff Pre-Service Training Modules · Texas Department of Criminal Justice Qualified Spanish Interpreters Guidelines Interviews: · Interviews with inmate with disabilities or who are limited English proficient · Interviews with random staff

- Interview with the agency head

Site Review Observations:

- The auditor tested the facility's process for securing interpretation services on-demand.
- The auditor determined if persons confined in the facility must self-identify (e.g., enter pin, provide name/ID number) to access interpretation services.
- The auditor assessed the availability of interpretation services (e.g., ability to access immediate interpretation services).
- The auditor assessed the accessibility of interpretation services (i.e., available to all persons confined in the facility who need an interpreter, including persons 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 inmates with disabilities (including, for example, inmates 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 inmates 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 inmates with disabilities, including inmates 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 inmates, referrals to inmates with developmental disabilities and sign language interpretation services offered by the facility.

The audit team interviewed inmates who were considered limited English proficient.

Overwhelmingly inmates indicated they were provided information in a language that they could understand and they were aware of available interpretation services.

	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. This service was delivered to the facilities via Language Line. 115.16 (b) The Texas department of Criminal Justice Safe Prisons/PREA plan dictates that the agency shall 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, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. The auditor reviewed additional policies and documentation of print policy formats, interpreter guides and braille versions of educational materials available to inmates who are considered limited English proficient and/or visually disabled. 115.16 (c) The Texas Department of Criminal Justice Safe Prisons/PREA Plan prohibits use of inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations. The audit team conducted interviews with at least 12 random staff throughout the facility. Staff indicated they would not use inmate interpreters or readers absent of exigent circumstances that would lead to an extended delay in obtaining an effective interpreter. 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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115.17	Hiring and promotion decisions
	Auditor Overall Determination: Audited at Agency Level
	Auditor Discussion
	The auditor verified that an agency level audit was completed on 11/21/2024. All required agency level interviews were completed and a full compliance audit report was reviewed to verify compliance with this standard and all of its provisions.

115.18	Upgrades to facilities and technologies
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	Auditor Overall Determination: Audited at Agency Level
	Auditor Discussion
	The auditor verified that an agency level audit was completed on 11/21/2024. All required agency level interviews were completed and a full compliance audit report was reviewed to verify compliance with this standard and all of its provisions.

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.21 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 Inmate Sexual Assault Investigations 7.13 · Texas Department of Criminal Justice Sexual Assault/Sexual Abuse G-57.01 · Texas Department of Criminal Justice Medical Notes Examples · Texas Department of Criminal Justice Memorandum and Emails Terminating Services with The Family Crisis Center · Statement of Fact from the PREA Ombudsman Dated 10/26/2024 · Texas Department of Criminal Justice Offender Victim Representative Training · 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 inmates 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 audit team 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 Inmate 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 Inmate 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 documents its efforts to provide SAFEs or SANEs.

The auditor also reviewed the provided medical notes which illustrated an instance where an inmate was provided a SAFE/SANE exam when medically appropriate.

According to the information provided in the PAQ, the facility provided 1 SAFE/SANE exams to inmates 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 provides these services through a qualified staff member from a community-based organization, or a qualified agency staff member. The agency documents its efforts to secure services from rape crisis centers.

The auditor reviewed the terminated MOU with The Family Crisis Center which previously provided a victim advocate to both facilities upon their request. Both facilities have been unsuccessful at the time of the audit in securing a new community partner to fulfill this service to the inmate population.

	The facility trains staff at the facility to act in the role of victim advocates. The facility also provided the training materials provided to staff members further illustrating compliance with the provision. The auditor interviewed the facility PREA compliance managers who confirmed the relationship with Family Crisis Center was terminated in 2024 and training to staff members who also act as victim advocates in instances of sexual abuse requiring a forensic medical exam. 115.21 (e) The Texas Department of Criminal Justice Safe Prisons/PREA Operational Manual for Inmate 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. The auditor interviewed the PREA compliance managers who confirmed that victim advocacy was provided at the facility by the chaplain and the chief of classification. 115.21 (f) 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. Based upon information contained in the PAQ, policies, procedures and interviews conducted, the facility is substantially compliant with this standard.
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115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.22 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Office of the Inspector General Inmate Sexual Assault Investigations Policy 7.13 · Texas Department of Criminal Justice Sexual Abuse Response Investigation 05.01 · Texas Department of Criminal Justice Reporting Incidents/Crimes to the Office of the Inspector General AD-16.20

	· Criminal and Administrative Investigations · Texas Department of Criminal Justice Operations of the Emergency Action Center and Reporting Procedures for Serious or Unusual Incidents AD-02.15 Interviews: · Interviews with OIG investigative staff · Interview with the agency head Findings by Provision: 115.22 (a) The Texas Department of Criminal Justice Safe Prisons/PREA Plan, Sexual Abuse 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 inmate-on-inmate sexual abuse and staff sexual misconduct). The facility reported in the PAQ that over the past 12 months, they have received 21 allegations of sexual abuse and sexual harassment and that allegations were investigated either criminally or administratively. 115.22 (b) (c) The Office of the Inspector General Inmate Sexual Assault Investigations Policy 7.13 and the Texas Department of Criminal Justice Safe Prisons/PREA Plan ensures 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. The agency reported that they do not publish the investigations responsibility policies to the agency's website but are available to the public through a public open records request. This information is not published on the website because they have deemed this as sensitive information. The auditor interviewed a 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. 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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115.31	Employee training
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion

115.31

Document Review:

- Texas Department of Criminal Justice On-The-Job Training Program SM-02.25
- Texas Department of Criminal Justice On-The-Job Program Procedures Guide
- Texas Department of Criminal Justice Training and Staff Development PD-97
- Texas Department of Criminal Justice Safe Prison/PREA Plan
- Texas Department of Criminal Justice Correctional Awareness /Staff Survivor Training
- Texas Department of Criminal Justice Sexual Misconduct with Offenders PD-29
- Texas Department of Criminal Justice Safe Prisons/PREA Program Pre-Service 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

Other Observations:

- Staff training examples

Findings by Provision:

115.31 (a)

The Texas Department of Criminal Justice trains all employees who may have contact with inmates 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. Inmates' rights to be free from sexual abuse and sexual harassment.
4. The right of inmates 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 inmates.
9. How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates.
10. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities

The audit team 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.

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.

115.31 (b)

The Texas Department of Criminal Justice training is tailored to the gender of the inmates at the employee's facility. All employees receive additional training if they are reassigned from a facility that houses only female inmates, or vice versa. The auditor reviewed the Safe Prisons PREA training modules and the On-the-Job Training Program which illustrated policy compliance with this provision.

115.31 (c)

The Texas Department of Criminal Justice provides each employee with refresher training every year 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 provides refresher information on current sexual abuse and sexual harassment policies. This was evidenced by information contained in the Safe Prisons/PREA Program Awareness training.

The facility also reported in the PAQ that employees are required to take refresher training minimally on an annual basis.

115.31 (d)

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.

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

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.32 Document Review: · Texas Department of Criminal Justice Safe Prisons Sexual Assault Training Modules · 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 Inmates PD-29 Interviews: · Interviews with volunteers/contractors who have contact with inmates Additional Documents Provided by the Facility: · Training records of volunteers and contractors who have contact with inmates Findings by Provision: 115.32 (a) The Texas Department of Criminal Justice ensures 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. This was evidenced by the training policies and, volunteer handbook and provided training modules required of all volunteers and contractors. The audit team 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 62 volunteers and contractors, who may have contact with inmates, 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 inmates, but all volunteers and contractors who have contact with inmates are notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents. The audit team 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. 115.32 (c) The Texas Department of Criminal Justice maintains documentation confirming that volunteers and contractors understand the training they have received. The auditor reviewed training records of volunteers and contractors illustrating they understand the training they have received. 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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115.33 Inmate education	
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.33 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Texas Department of Criminal Justice Intake Procedures Initial Orientation 1.10 · Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Inmate Sexual Abuse Awareness Training 06.02

- Texas Department of Criminal Justice Ferguson Unit Safe Prisons/PREA Information Packet in English and Spanish
- Texas Department of Criminal Justice Qualified Spanish Interpreter Guidelines SM-05.50
- Texas Department of Criminal Justice Certified American Sign Language Interpreter Services G-51.5
- Texas Department of Criminal Justice Inmates with Special Needs G.51.01
- Texas Department of Criminal Justice Referrals of Inmates to the Developmental Disabilities Program A-08.3
- Documentation of inmate participation in education sessions

Interviews:

- Interviews with intake staff
- Interviews with random inmates

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 inmates 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 1106 inmates.

The auditor interviewed intake staff at the facility who articulated the PREA education process for inmates arriving to the facility. They also explained the process of educating those inmates 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 inmates 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 971 inmates, 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 inmates 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 inmates 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 facility. This is illustrated in the Safe Prisons/PREA plan. The auditor interviewed intake staff who articulated the facility's process of making certain inmates that are transferred from other facilities obtain the required PREA educational material. 115.33 (d) The Texas Department of Criminal Justice provides inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, otherwise disabled, as well as to inmates 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 inmates considered limited English proficient or otherwise disabled. The Safe Prisons/PREA Plan policy provides written guidance to staff on providing services to this inmate population. 115.33 (e) The Texas Department of Criminal Justice maintains documentation of inmate participation in these education sessions. 115.33 (f) 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, inmate handbooks, or other written formats. 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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115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.34 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan

	· Texas Department of Criminal Justice Training and Staff Development PD-97 · Texas Department of Criminal Justice Conducting a Thorough Investigation · Investigator Training Records Interviews: · Interviews with investigative staff both administrative and criminal Findings by Provision: 115.34 (a) 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. The auditor interviewed 2 investigators during the onsite portion of the audit. Interviews consisted of 1 administrative investigator, 1 criminal investigator. All investigators 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. 115.34 (b) The Texas Department of Criminal Justice provided specialized training modules which 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. 115.34 (c) The Texas Department of Criminal Justice maintains documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations. The PAQ reported there were a total of 17 investigators currently employed by the agency who have completed the required training. 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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115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard

Auditor Discussion

115.35

Document Review:

- Texas Department of Criminal Justice Safe Prisons/PREA Plan
- 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
- PREA Module #3

Interviews:

- Interviews with medical and mental health staff

Findings by Provision:

115.35 (a)

The Texas Department of Criminal Justice requires 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 30 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 Lynaugh/Fort Stockton 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. 115.35 (d) The Texas Department of Criminal Justice requires medical and mental health care practitioners receive the training mandated for employees under § 115.31 or for contractors and volunteers under § 115.32, depending upon the practitioner's status at the agency. This was evidenced by medical and mental health care practitioners training records that were previously reviewed under standards 115.31 and 15.32. 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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115.41 Screening for risk of victimization and abusiveness	
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.41 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Texas Department of Criminal Justice Safe Prisons/PREA Plan Operations Manual Inmate Assessment for Risk of Victimization or Abusiveness 03.01 · Texas Department of Criminal Justice Safe Prisons/PREA Automated Network System Assessments User Guide · Texas Department of Criminal Justice Inmate Assessment Screening Tool Interviews: · Interviews with risk screening staff · Interviews with random inmates · Interview with the PREA coordinator

- Interview with a PREA compliance manager

Site Review Observations:

- The auditor attended a live risk screening of an inmate at the facility.
- The auditor confirmed the individuals responsible for conducting the risk screening process.
- 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.
- The auditor assessed that screening staff ask screening questions in a manner that fostered comfort and elicited responses.
- The auditor tested the method of assessing inmates to make certain the screening staff use an instrument to collect information during the risk screening process. Screening staff affirmatively ask inmates 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 inmates be assessed during an intake screening and upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates. This is illustrated in the Safe Prisons/PREA Plan policy.

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

The audit team interviewed a minimum of 40 inmates during the onsite portion of the audit. Overwhelmingly inmates reported they went through a risk screening process when they arrived at the facility. Most inmates 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 1105 inmates 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 1105 inmates 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 audit team interviewed a minimum of 40 inmates during the onsite portion of the audit. Most inmates 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 inmate has a mental, physical, or developmental disability; (2) The age of the inmate; (3) the physical build of the inmate; (4) whether the inmate has previously been incarcerated; (5) whether the inmate's criminal history is exclusively nonviolent; (6) whether the inmate has prior convictions for sex offenses against an adult or child; (7) whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming; (8) whether the inmate has previously experienced sexual victimization; (9) The inmate's own perception of vulnerability; and (10) whether the inmate 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 a live risk screening with an inmate.

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 inmates for risk of being sexually abusive.

115.41 (f)

The Texas Department of Criminal Justice requires that the facility reassess each inmate's risk of victimization or abusiveness within a set time period, not to exceed 30 days after the inmate'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 Inmate Assessment for Risk of Victimization or Abusiveness policies.

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

The audit team interviewed a minimum of 40 inmates during the onsite portion of the audit. Overwhelmingly, inmates 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 inmate'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 inmate'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 Inmate 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 inmates for refusing to answer (or for not disclosing complete information related to) questions regarding: (a) whether or not the inmate has a mental, physical, or developmental disability; (b) whether or not the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender non-conforming; (c) whether or not the inmate has previously experienced sexual victimization; and (d) the inmate's own perception of vulnerability. This prohibition is illustrated in the Safe Prisons/PREA Operations Manual Inmate Assessment for Risk of Victimization or Abusiveness policy.

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

115.41 (i)

The PREA coordinator was interviewed 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's PREA compliance managers 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 inmates. 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.
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115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.42 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 Unit Classification Procedure Offender Housing Assignments 4.00 · Texas Department of Criminal Justice Assessment Forms · Texas Department of Criminal Justice Inmate Housing Assignment Criteria and Procedures AD 04.17 · Texas Department of Criminal Justice Offender Jobs: Assignments, Job Descriptions, Selection Criteria, Work Programs and Supervision Interviews: · Interview with PREA compliance manager · Interviews with staff responsible for risk screening · Interviews with transgender inmates · Interviews with gay/bisexual inmates · Interview with the PREA coordinator 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 one of the facility's PREA compliance managers 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 audit team interviewed a transgender inmate during the onsite portion of the audit. The inmate reported that staff initially questioned them about safety concerns at the facility. This included concerns related to programming, work and education.

The inmate also reported they were not placed in a housing area specifically for transgender or intersex inmates.

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 inmates 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 one of the facility's PREA compliance managers. She reported the facility always considers whether a placement of a transgender or intersex inmates will ensure the inmate'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 inmate shall be reassessed at least twice each year to review any threats to safety experienced by the inmate. 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 inmate'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 inmates the opportunity to shower separately from other offenders. This is illustrated in the Safe Prisons/PREA Plan and also through informal conversations with staff during the onsite portion of the audit. An interview was conducted with one the facility's PREA compliance managers. She reported that all transgender and intersex inmates are given the opportunity to shower separately from other inmates. 115.42 (g) The Texas Department of Criminal Justice prohibits placing lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such 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 such inmates. This is illustrated in the Safe Prisons/PREA Plan. 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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115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.43 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Texas Department of Criminal Justice Restrictive Housing Plan with Attachments Interviews: · Interview with the facility warden · Interviews with staff who supervise inmates in segregated housing

Findings by Provision:

115.43 (a)

The Texas Department of Criminal Justice prohibits the placement of inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination has been made that there is no available alternative means of separation from likely abusers. This is illustrated in the Safe Prisons/PREA Plan.

The PAQ reported there were a total of zero inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months awaiting completion of assessment.

The auditor interviewed the facility warden who also confirmed that inmates are prohibited by policy to be placed in segregated housing because they have been identified at risk of sexual victimization.

115.43 (b)

The Texas Department of Criminal Justice requires that inmates placed in segregated 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.

The auditor interviewed staff members that supervise inmates in segregated housing. Staff indicated that if an inmate 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 inmates.

115.43 (c)

The PAQ reported that in the past 12 months the facility had zero inmates at risk of sexual victimization that were assigned to segregated housing for longer than 30 days while awaiting alternative placement.

The auditor interviewed the facility warden who confirmed that if inmates are placed in segregated housing they are only placed there until alternative means of separation from likely abusers can be arranged. Inmates are placed in a transient status for brief periods of time.

115.43 (e)

The Texas Department of Criminal Justice requires that every 30 days, the facility shall afford each such inmate 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 Restrictive Housing Plan.

	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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115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.51 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual 02.03 · Texas Department of Criminal Justice Executive Directive Prison Rape Elimination Act Complaints and Inquiries ED-02.10 · Texas Department of Criminal Justice BP 01.01 Texas Board of Criminal Justice Responsibilities · 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 · Texas Department of Criminal Justice Inmate Orientation Handbook English and Spanish Interviews: · Interviews with random staff · Interviews with random inmates · 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 inmates 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 inmates to report privately to agency officials about: (a) sexual abuse or sexual harassment; (b) retaliation by other inmate 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 audit team interviewed minimally 12 random staff throughout the facility.

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

The audit team interviewed at least 40 inmates during the onsite portion of the audit. Almost all inmates interviewed were able to articulate several ways to report sexual abuse and sexual harassment to the facility or to the PREA ombudsman's office.

115.51 (b)

The Texas Department of Criminal Justice provides at least one way for inmates 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 inmate 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 one of the facility's PREA compliance managers who articulated the process inmates 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)

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.

The audit team interviewed minimally 12 random staff members, all of which reported that inmates can make reports either verbally, in writing or from third parties. Staff also conveyed that all verbal reports made by inmates must be documented and that this information must be documented immediately.

115.51 (d)

The Texas Department of Criminal Justice dictates that the agency has established procedures for staff to privately report sexual abuse and sexual harassment of inmates. This is illustrated in The Texas Department of Criminal Justice Executive Directive Sexual Misconduct with Inmates policy.

The PAQ reported that staff can privately report outside of their chain-of-command to the PREA ombudsman's office.

The audit team 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.

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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115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.52 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Texas Department of Criminal Justice Administrative Directive Management of Inmate Grievances AD-03.82 · Texas Department of Criminal Justice Third Party Grievances OGOM 9.00 · Texas Department of Criminal Justice Third Party Preliminary Investigation Form · Texas Department of Criminal Justice PREA Allegations IGOM 1.04 · Grievance Examples · Texas Department of Criminal Justice Disciplinary Rules and Procedures for Inmates Interviews: · Interview with an inmate 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 inmates 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 inmate 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 inmate 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 inmate 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 inmate 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 inmate 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 8 grievances filed by inmates alleging sexual abuse. Of those 8 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 audit team interviewed an inmate during the onsite portion of the audit that reported sexual abuse at the facility. The inmate interviewed alleged that he was never advised of the outcome of the investigation.

115.52 (e)

The Texas Department of Criminal Justice permits third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse and to file such requests on behalf of inmates. Additionally, it requires that if an inmate declines to have third-party assistance in filing a grievance alleging sexual abuse, the agency documents the inmate'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 inmates in which the inmate declined third-party assistance, containing documentation of the inmate'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 inmate 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 inmate 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 inmate 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 zero emergency grievances alleging substantial risk of imminent sexual abuse.

	115.52 (g) The Texas Department of Criminal Justice dictates that the agency may discipline an inmate for filing a grievance related to alleged sexual abuse only where the agency demonstrates that the inmate filed the grievance in bad faith. This is illustrated in The Texas Department of Criminal Justice Disciplinary Rules and Procedures for Inmates policy. The PAQ reported that in the last 12 months there was a total of zero inmates who filed grievances alleging sexual abuse that resulted in disciplinary action by the agency against the inmate 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.
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115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.53 Document Review: • Texas Department of Criminal Justice Safe Prisons/PREA Plan • Texas Department of Criminal Justice Inmate Orientation Handbook English and Spanish • Texas Association Against Sexual Assault Rape Advocacy Centers Directory • Texas Department of Criminal Justice Statement of Fact Related to 115.53 • Safe Prisons/PREA Plan Handouts • Emails Terminating Services by The Family in Crisis Center Interviews: • Interviews with random inmates • Interview with an inmate 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 inmates 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 inmates had access to outside emotional support via mail.

Findings by Provision:

115.53 (a)

The Texas Department of Criminal Justice requires 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. The facility enables reasonable communication between inmates 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 Inmate Orientation Handbook and Texas Association Against Sexual Assault Rape Advocacy Centers Directory.

The audit team interviewed a minimum of 40 inmates throughout the facility.

Inmates 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 inmates, prior to giving them access to outside support services, the extent to which such communications will be monitored. Additionally, the facility informs inmates, 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 Inmate Orientation Handbook and The Texas Department of Criminal Justice Statement of Fact Related to 115.53. The audit team interviewed at least 40 inmates throughout the facility. Inmates reported they observed signage throughout the facility related to access to ongoing confidential support services. Inmates reported that they are not really certain to what extent these services were provided in a confidential manner but all inmates reported they have received and have access to the inmate orientation handbook. 115.53 (c) The Texas Department of Criminal Justice Lynaugh/Fort Stockton Units previously entered into memoranda of understanding with The Family in Crisis Center, that provided inmates with confidential emotional support services related to sexual abuse. However, in 2024 these services were terminated by The Family in Crisis Center and the facility has been unable to obtain outside emotional support services through another community provider. Services are available through Texas Association Against Sexual Assault Rape Advocacy Centers Directory, which is a Texas organization that provides ongoing emotional support. A full directory is available in the facility law library, which this auditor verified during the onsite portion of the audit. 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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115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.54 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Texas Department of Criminal Justice General Information Guide for Families of

Inmates

- Texas Department of Criminal Justice Inmate Orientation Handbook

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 inmates 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:

115.54 (a)

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 Inmates and The Texas Department of Criminal Justice Inmate Orientation Handbook. 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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115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.61 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Texas Department of Criminal Justice Sexual Misconduct with Inmates PD-29 · Criminal and Administrative Investigations Interviews: · Interview with the facility warden · Interview with the 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 inmates 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 Inmates policy.

The audit team 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 Plan policy.

The audit team 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 inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services.

The auditor interviewed a medical staff member and mental health staff member during the onsite portion of the audit. Both staff members acknowledged that they explain to inmates when they provide services, of their duty to report instances of sexual abuse and sexual harassment.

115.61 (d)

The Texas Department of Criminal Justice Lynam/Fort Stockton Units do not house individuals under the age of 18 or those who are considered vulnerable adults. This was verified by direct auditor observations, inmate rosters provided to the audit team, informal conversations with random staff, the facility warden and PREA compliance managers.

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.
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115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.62 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Texas Department of Criminal Justice Time Frames Associated with Offender Protection Investigations 05.03 Interviews: · Interview with the facility warden · Interview with the agency head · Interviews with random staff Findings by Provision: 115.62 (a) The Texas Department of Criminal Justice requires when the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, it shall take immediate action to protect the inmate. The requirement is illustrated in the Safe Prisons/PREA Plan policy. The PAQ reported there were a total of zero times in the past 12 months that the facility determined that an inmate was subject to a substantial risk of imminent sexual abuse.

	The PAQ also reported that if the facility became aware of the imminent sexual abuse, they would take immediate action to protect the inmate. The auditor interviewed the facility warden who articulated the facility's response protocol once they become aware an inmate may be in imminent danger of sexual abuse. The audit team interviewed at least 12 random staff throughout the facility. All staff articulated the facility's coordinated response plan to protect the inmate and protect potential evidence. 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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115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.63 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 Safe Prisons/PREA Operations Manual Receiving Allegations of Sexual Abuse from an Outside Agency 04.02 • Notification Example Dated 7/16/2024 Interviews: • Interview with the facility warden • Interview with the agency head Findings by Provision: 115.63 (a) The Texas Department of Criminal Justice requires that upon receiving an allegation that an inmate 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 1 allegation where an inmate 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 2 allegations of sexual abuse the facility received from other facilities within the last 12 months. The auditor interviewed the facility warden who articulated the process the facility utilizes 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. 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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115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.64 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Sexual Abuse Response and Investigation 05.01

- Texas Department of Criminal Justice Administrative Directive Evidence Handling AD-16.03

Interviews:

- Interviews random security staff
- Interviews with an inmate that reported sexual abuse

Findings by Provision:

115.64 (a)

The Texas Department of Criminal Justice requires that upon learning of an allegation that an inmate 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.

The PAQ reported that within the last 12 months the facility handled 14 allegations that an inmate was sexually abused. Of those instances there were 10 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 8 instances when a staff member was notified within a time period that still allowed for the collection of physical evidence.

The audit team 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 audit team 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 audit team interviewed an inmate who reported sexual abuse in the facility. This inmate alleged that staff did not take immediate action to protect the alleged victim from the alleged perpetrator, separate the individuals involved and preserve and protect any potential evidence. However, the inmate reported that he was immediately taken to medical.

	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 were a total of zero instances when a non-security staff member was the first responder to an allegation of sexual abuse. The audit team 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.
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115.65 Coordinated response	
	Auditor Overall Determination: Meets Standard Auditor Discussion 115.65 Document Review: · Texas Department of Criminal Justice Unit Specific Coordinated Response Plan Interviews: · Interview with the facility warden Findings by Provision: 115.65 (a) The Texas Department of Criminal Justice Lynaugh/Fort Stockton Units have 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. 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 inmate reports a PREA related incident. 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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115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Audited at Agency Level
	Auditor Discussion
	The auditor verified that an agency level audit was completed on 11/21/2024. All required agency level interviews were completed and a full compliance audit report was reviewed to verify compliance with this standard and all of its provisions.

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.67 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual 90-Day Monitoring for Retaliation 5.08 · Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Intervention Practices 02.04 · Review of Investigations that Included Retaliation Monitoring Examples Interviews: · Interview with the facility warden · Interview with the agency head · Interviews with staff that monitor retaliation · Interview with an inmate who reported sexual abuse

Findings by Provision:

115.67 (a)

The Texas Department of Criminal Justice protects all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff, and shall designate which staff members or departments are charged with monitoring retaliation. 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 the Lynaugh/Fort Stockton Units designate the assistant warden, major, captain and PREA compliance managers as the 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 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.

The auditor interviewed the facility warden who reported that any type of retaliation against inmates or staff was strictly prohibited. The warden articulated the full retaliation process that is afforded for inmates in the facility, which included periodic check-ins with the inmates 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 inmates is monitored and handled appropriately as required by policy. She stated she meets with inmates on a monthly basis for 90 days or longer if necessary.

The audit team interviewed an inmate who reported sexual abuse in the facility. This inmate alleged that he did not feel protected against retaliation from other inmates or staff for having reported an incident of sexual abuse.

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 inmates or staff who reported the sexual abuse and 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, 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 inmates or staff. The auditor interviewed the facility warden who reported that any instances of retaliation by either inmate 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.
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115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.68 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Texas Department of Criminal Justice Restrictive Housing Plan · Texas Department of Criminal Justice Protective Safekeeping Plan · Housing Assignments of Inmates Who Alleged Sexual Abuse Interviews: · Interview with the facility warden · Interviews with staff that supervise inmate is segregated housing · Interview of an inmate who reported sexual abuse Findings by Provision: 115.68 (a) The Texas Department of Criminal Justice prohibits the placement of inmates who allege to have suffered sexual abuse in involuntary segregated housing unless an assessment of all available alternatives has been made 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 inmates 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 inmates 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 inmates 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 inmate while alternative placement is being determined. The warden further explained there were no recent examples of inmates being placed in involuntary segregation for alleging sexual abuse because any inmates would have been in that environment for a very short period of time. The auditor interviewed a staff member who supervises inmates in segregated housing. The staff member explained that if an inmate 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 inmates are placed in segregation, the length of time is very limited in that transient status. They confirmed that per policy, an inmate would receive a placement review every 30 days if that circumstance were to exist. The audit team interviewed an inmate who 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 inmates placed in segregated housing for either making a report or identified as high risk. This inmate reported he was placed in a higher custody level as a result of reporting the incident. 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
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.71 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · 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

- Texas Department of Criminal Justice Records Retention Schedule
- Texas Department of Criminal Justice Records Management ED 02.29
- Criminal and Administrative Investigation Samples

Interviews:

- Interviews with investigative staff both criminal and administrative
- Interview with an inmate that reported sexual abuse

Site Review Observations:

- The auditor observed the physical storage area of any information/documentation collected and maintained in hard copy pursuant to the PREA Standards.
- The auditor observed electronic safeguards of any information/documentation collected and maintained electronically pursuant to the PREA Standards.

Findings by Provision:

115.71 (a)

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 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 2 investigative staff members during the onsite portion of the audit. Both investigative staff members 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 2 investigative staff members during the onsite portion of the audit. Both 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 2 investigative staff members during the onsite portion of the audit. Both investigators articulated how a criminal or administrative investigation is initiated. This included a prompt initiation of 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 inmate or staff. The agency shall not require an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation. This requirement is illustrated in the Safe Prisons/PREA plan.

Interviews were conducted with 2 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. Both investigators stated they would never require an inmate to submit to polygraph or truth-telling device as a condition of proceeding with an investigation.

The audit team interviewed an inmate who reported sexual abuse at the facility. The inmate reported he was 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 they took during their investigation to determine if staff actions or failures contributed to an abuse, that they document 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 has been 0 allegations of conduct that appeared to be criminal that was referred for prosecution.

115.71 (i)

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.

115.71 (j)

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.

The auditor interviewed 2 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.

115.71 (l)

	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. 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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115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.72 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Texas Department of Criminal Justice Safe Prisons/PREA Program Conducting a Thorough Investigation · Administrative investigations Interviews: · Interviews with investigative staff Findings by Provision: 115.72 (a) 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. The auditor interviewed 1 administrative investigator and 1 criminal investigator during the onsite portion of the audit. Both investigators were aware that preponderance of evidence was the standard in administrative investigations. 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.

115.73	Reporting to inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.73 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Completing the Inmate Protection Investigation Safe 05.05 · Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Reporting Sexual Abuse Criminal Case Status to Offenders 05.10 · Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual Completing the Staff-on-Inmate Investigation · Texas Department of Criminal Justice Inmate Notification Brochure · Texas Department of Criminal Justice List of Alleged Sexual Abuse Outcomes · Investigation Examples Interviews: · Interview with the facility warden · Interviews with investigative staff · Interview with an inmate who reported sexual abuse Findings by Provision: 115.73 (a) The Texas Department of Criminal Justice requires following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, the agency shall inform the inmate 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 Inmate Protection Investigation and Safe Prisons/PREA Operations Manual Reporting Sexual Abuse Criminal Case Status to Inmates. The PAQ reported there were a total of 14 criminal and/or administrative investigations of alleged inmate sexual abuse that were completed by the facility in the past 12 months. The PAQ also reported that all 14 inmates were notified, verbally or in writing, of the

results of the investigation.

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

The auditor interviewed 2 investigative staff during the onsite portion of the audit. Both investigators confirmed that inmates are always provided the outcome of a PREA investigation upon its conclusion.

The audit team interviewed an inmate who reported sexual abuse at the facility. The inmate alleged that he was never advised of the outcome of the investigation. It should be noted that a copy of the notification form was presented to the inmate, which was located in the investigative file.

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 inmate of the outcome. This is evidenced by the example OIG notice provided by the facility.

The PAQ reported there was a total of 6 investigations 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 inmate's allegation that a staff member has committed sexual abuse against the inmate, the agency shall subsequently inform the inmate (unless the agency has determined that the allegation is unfounded) whenever: (1) The staff member is no longer posted within the inmate'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-Inmate Investigation policies.

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

The audit team conducted an interview with an inmate who reported sexual abuse at the facility. The inmate alleged that he was never advised of the outcome of the investigation. It should be noted that a copy of the notification form was presented to the inmate, which was located in the investigative file.

115.73 (d)

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

	allegation that he or she has been sexually abused by another inmate, 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 Inmate Protection Investigation Safe Prisons/PREA Operations Manual Reporting Sexual Abuse Criminal Case Status to Inmates policy. 115.73 (e) The Texas Department of Criminal Justice requires all notifications or attempted notifications to inmates 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 27 notifications to inmates 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.
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115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.76 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 Executive Directive Sexual Misconduct with Inmates PD-29 · Texas Department of Criminal Justice Reporting Incidents/Crimes to the Office of the Inspector General AD-16.20 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 2 staff members 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 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.

The PAQ reported that in the past 12 months there has been 2 staff members that have 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.

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.

115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.77 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Texas Department of Criminal Justice Executive Directive Sexual Misconduct with Inmates PD-29 · Texas Department of Criminal Justice General Rule of Conduct and Disciplinary Action Guidelines for Employees PD-22 · Texas Department of Criminal Justice Volunteer Services Plan · Texas Department of Criminal Justice Chaplaincy Department Manual · Correctional Managed Health Care Policy Manual C-19.1 · Windham School District Prohibited Employee Relationships WBP-07.56 Interviews: · Interview with the facility warden Findings by Provision: 115.77 (a) The Texas Department of Criminal Justice requires that any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmates 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. 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 inmates. 115.77 (b) The PAQ reported that the facility takes appropriate remedial measures, and considers whether to prohibit further contact with inmates, 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.

	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. 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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115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.78 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Texas Department of Criminal Justice Executive Directive Inmate Disciplinary Procedures ED-03.76 · Texas Department of Criminal Justice Disciplinary Rules and Procedures for Inmates English and Spanish · Criminal and Administrative Investigation Files Interviews: · Interview with the facility warden · Interviews with medical/mental health staff Findings by Provision: 115.78 (a) (b) (c) The Texas Department of Criminal Justice dictates that inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse. These requirements are illustrated in the Safe Prisons/PREA Plan and in The Texas Department of Criminal Justice Executive Directive Inmate Disciplinary Procedures policy. The PAQ reported that in the last 12 months there was a total of zero administrative findings of inmate-on-inmate 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 inmate-on-inmate sexual abuse that occurred at the facility.

The auditor interviewed the facility warden. The warden indicated that sanctions imposed on inmates are 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. The warden also articulated that the disciplinary process shall consider whether an inmate'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 inmate to participate in such interventions as a condition of access to programming or other benefits.

The auditor interviewed medical/mental health staff members during the onsite portion of the audit. Medical staff confirmed the facility offers therapy, counseling and other interventions to inmates required under this provision. They also confirmed that inmates 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 inmate 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 inmates and may discipline inmates for such activity. An agency does not, however, deem such activity to constitute sexual abuse if it determines that the activity is not coerced. This is illustrated in The Texas Department of Criminal Justice Disciplinary Rules and Procedures for Inmates.

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.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.81 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Texas Department of Criminal Justice Correctional Managed Health Care Policy Manual Confidentiality and Release of Protected Health Information H-61.1 · Correctional Managed Health Care Policy Manual Mental Health Evaluation E-35.2 · Correctional Managed Health Care Policy Manual Mental Health Appraisal for Incoming Inmates E-35.1 · Correctional Managed Health Care Policy Manual Sexual Assault/Sexual Abuse G57.1 Interviews: · Interviews with inmates that disclosed sexual victimization at risk screening · Interviews with staff responsible for risk screening · Interviews with medical and mental health staff Site Review Observations: · The auditor observed the physical storage area of any information/documentation collected and maintained in hard copy pursuant to the PREA Standards. · The auditor observed electronic safeguards of any information/documentation collected and maintained electronically pursuant to the PREA Standards. Findings by Provision: 115.81 (a) (c) The Texas Department of Criminal Justice requires that 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, staff shall ensure that the inmate 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 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 inmates who disclosed prior victimization during screening were offered a follow-up meeting with a medical or mental health practitioner.

The audit team interviewed inmates who reported prior victimization during the risk screening process. Overwhelmingly inmates reported being offered 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 the process when risk screening inmates and if an inmate disclosed prior sexual victimization. Risk screening staff indicated that inmates were always offered a follow-up appointment with medical and mental health staff.

115.81 (b)

The Texas Department of Criminal Justice requires that if the screening pursuant to § 115.41 indicates that an inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate 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 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. 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.

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.82 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Texas Department of Criminal Justice Correctional Managed Health Care Policy Manual Sexual Assault/Sexual Abuse G-57.1 · Texas Department of Criminal Justice Medical and Mental Health Secondary Materials Examples Interviews: · Interview with an inmate that reported sexual abuse · Interviews with random staff throughout the facility · Interviews with medical and mental health staff Findings by Provision: 115.82 (a) (b) The Texas Department of Criminal Justice ensures that 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. This was evidenced by the medical and mental health secondary materials provided by the facility. The auditor interviewed medical and mental health staff during the onsite portion of the audit. Individuals interviewed articulated that inmates receive unimpeded access to emergency medical treatment and crisis intervention as soon as they receive the referral or information from security personnel. The audit team interviewed an inmate who reported sexual abuse at the facility. This inmate alleged he was not afforded or offered access to medical and mental health staff. However, the inmate previously reported that he was immediately taken to medical after the incident. 115.82 (c) The Texas Department of Criminal Justice ensures that inmate 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. The audit team interviewed an inmate who reported sexual abuse in the facility. The inmate alleged that he was not offered any information related to sexually transmitted infection prophylaxis. The auditor interviewed medical and mental health personnel during the onsite portion of the audit. Personnel reported compliance with this provision without hesitation. 115.82 (d) 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. 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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115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.83 Document Review: · Texas Department of Criminal Justice Safe Prisons/PREA Plan · Correctional Managed Health Care Policy Manual Mental Health Appraisal for Incoming Offenders E-35.1 · Correctional Managed Health Care Policy Manual Mental Health Evaluation E-35.2 · Correctional Managed Health Care Policy Manual Sexual Assault/Sexual Abuse G-57.01 · Texas Department of Criminal Justice Medical and Mental Health Secondary Materials Examples Interviews:

- Interview with an inmate 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 inmates 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, Correctional Managed Health Care Policy Manual Mental Health Appraisal for Incoming Offenders, Correctional Managed Health Care Policy Manual Mental Health Evaluation and 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 Texas Department of Criminal Justice ensure that victims of sexually abusive vaginal penetration while incarcerated are offered pregnancy tests. This requirement is illustrated the Safe Prison PREA Plan and in the Correctional Managed Health Care Policy Manual G-57.1. Compliance was also determined through medical secondary materials provided by the facility.

115.83 (e)

The Texas Department of Criminal Justice ensures that if pregnancy results from the conduct described in paragraph (d) of this section, such victims will receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services. This requirement was illustrated in the Correctional Managed Health Care Policy Manual G-55.1.

The auditor interviewed a medical staff member at the facility that confirmed compliance with the requirements of this provision.

The audit team interviewed an inmate that reported sexual abuse at the facility but the requirements of this provision were not applicable because this was a male facility.

	115.83 (f) The Texas Department of Criminal Justice requires that inmate 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 Department of Criminal Justice Correctional Managed Health Care Manual Sexual Assault/Sexual Abuse policy. The audit team interviewed an inmate who reported sexual abuse in the facility. The inmate interviewed alleged that he was not told about or offered any information related to tests for sexually transmitted infection prophylaxis. 115.83 (g) 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. The audit team interviewed an inmate who reported sexual abuse at the facility. The inmate reported that he was not required to pay for any services offered either by medical or mental health as a result of his appointment. 115.83 (h) The Texas Department of Criminal Justice attempts 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. This is illustrated in the Safe Prisons/PREA Plan. The auditor interviewed medical and mental health personnel during the onsite portion of the audit. Personnel reported compliance with the requirement 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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115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.86

Document Review:

- Texas Department of Criminal Justice Safe Prisons/PREA Plan
- Texas Department of Criminal Justice Operations of the Emergency Action Center and Reporting Procedures for the Serious or Unusual Incidents AD-02.15
- Texas Department of Criminal Justice Safe Prisons/PREA Operations Manual 02.01
- Investigations of sexual abuse and sexual harassment
- Completed sexual abuse incident reviews

Interviews:

- Interview with facility warden
- Interviews with facility PREA compliance managers
- 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 12 criminal and/or administrative investigations of sexual abuse, which excluded unfounded incidents.

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 12 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 auditor 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 a staff member who participated in the facility sexual abuse incident review team. The incident review team member articulated the sexual abuse incident review process and compliance with all the requirements under this provision. 115.86 (e) 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. The auditor reviewed examples of sexual abuse incident reviews provided by the facility which illustrated compliance with 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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115.87	Data collection
	Auditor Overall Determination: Audited at Agency Level
	Auditor Discussion

115.88	Data review for corrective action
	Auditor Overall Determination: Audited at Agency Level
	Auditor Discussion

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

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.401 Findings by Provision: 115.401 (a) The auditor confirmed that the agency ensured each of their facilities have been audited at least once during every three-year period. 115.401 (b) The auditor ensured that at least one-third of all its facilities, either state run or privately operated has been audited over the past year. 115.401 (h) The auditor had access to, and observed, all areas of the facility. 115.401 (i) The auditor was permitted to request and receive copies of any relevant documents (including electronically stored information). 115.401 (m) The auditor was permitted to conduct private interviews with inmates. 115.401 (n) Inmates were permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel. The auditor verified the methods that inmates are afforded for sending confidential correspondence to the auditor through their legal mail process. The auditor verified with facility management that inmates 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. As of the writing of this audit report, the auditor had received 1 letter from inmate incarcerated at the Lynaugh/Fort Stockton Unit. The auditor attempted to interview the inmate during the onsite portion of the audit, but the inmate refused the interview on 2 separate occasions.

	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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115.403	Audit contents and findings
	Auditor Overall Determination: Audited at Agency Level
	Auditor Discussion

Appendix: Provision Findings		
115.11 (a)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	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
115.11 (c)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	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
115.12 (a)	Contracting with other entities for the confinement of inmates	
	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.)	
115.12 (b)	Contracting with other entities for the confinement of inmates	
	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.)	
115.13 (a)	Supervision and monitoring	
	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
115.13 (b)	Supervision and monitoring	

	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
115.13 (c)	Supervision and monitoring	
	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
115.13 (d)	Supervision and monitoring	
	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
115.14 (a)	Youthful inmates	
	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
115.14 (b)	Youthful inmates	
	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
115.14 (c)	Youthful inmates	
	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
115.15 (a)	Limits to cross-gender viewing and searches	
	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
115.15 (b)	Limits to cross-gender viewing and searches	
	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
115.15 (c)	Limits to cross-gender viewing and searches	
	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
115.15 (d)	Limits to cross-gender viewing and searches	
	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
115.15 (e)	Limits to cross-gender viewing and searches	
	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
115.15 (f)	Limits to cross-gender viewing and searches	
	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
115.16 (a)	Inmates with disabilities and inmates who are limited English proficient	
	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
115.16 (b)	Inmates with disabilities and inmates who are limited English proficient	

	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
115.16 (c)	Inmates with disabilities and inmates who are limited English proficient	
	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
115.17 (a)	Hiring and promotion decisions	
	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?	
115.17 (b)	Hiring and promotion decisions	
	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?	
115.17 (c)	Hiring and promotion decisions	
	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?	
115.17 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	
115.17 (e)	Hiring and promotion decisions	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	
115.17 (f)	Hiring and promotion decisions	
	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?	
115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	
115.17 (h)	Hiring and promotion decisions	
	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.)	
115.18 (a)	Upgrades to facilities and technologies	
	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.)	
115.18 (b)	Upgrades to facilities and technologies	
	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.)	
115.21 (a)	Evidence protocol and forensic medical examinations	
	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.)	
115.21 (b)	Evidence protocol and forensic medical examinations	
	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
115.21 (c)	Evidence protocol and forensic medical examinations	
	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
115.21 (d)	Evidence protocol and forensic medical examinations	
	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
115.21 (e)	Evidence protocol and forensic medical examinations	
	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
115.21 (f)	Evidence protocol and forensic medical examinations	
	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
115.21 (h)	Evidence protocol and forensic medical examinations	
	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
115.22 (a)	Policies to ensure referrals of allegations for investigations	
	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
115.22 (b)	Policies to ensure referrals of allegations for investigations	
	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
115.22 (c)	Policies to ensure referrals of allegations for investigations	
	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
115.31 (a)	Employee training	
	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
115.31 (b)	Employee training	
	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
115.31 (c)	Employee training	
	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
115.31 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
115.32 (a)	Volunteer and contractor training	
	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
115.32 (b)	Volunteer and contractor training	
	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
115.32 (c)	Volunteer and contractor training	

	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
115.33 (a)	Inmate education	
	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
115.33 (b)	Inmate education	
	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
115.33 (c)	Inmate education	
	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
115.33 (d)	Inmate education	
	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
115.33 (e)	Inmate education	
	Does the agency maintain documentation of inmate participation in these education sessions?	yes
115.33 (f)	Inmate education	
	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
115.34 (a)	Specialized training: Investigations	
	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
115.34 (b)	Specialized training: Investigations	
	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
115.34 (c)	Specialized training: Investigations	

	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
115.35 (a)	Specialized training: Medical and mental health care	
	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
115.35 (b)	Specialized training: Medical and mental health care	
	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
115.35 (c)	Specialized training: Medical and mental health care	
	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.)	
115.35 (d)	Specialized training: Medical and mental health care	
	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
115.41 (a)	Screening for risk of victimization and abusiveness	
	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
115.41 (b)	Screening for risk of victimization and abusiveness	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
115.41 (c)	Screening for risk of victimization and abusiveness	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes
115.41 (d)	Screening for risk of victimization and abusiveness	
	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
115.41 (e)	Screening for risk of victimization and abusiveness	
	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
115.41 (f)	Screening for risk of victimization and abusiveness	

	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
115.41 (g)	Screening for risk of victimization and abusiveness	
	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
115.41 (h)	Screening for risk of victimization and abusiveness	
	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
115.41 (i)	Screening for risk of victimization and abusiveness	
	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
115.42 (a)	Use of screening information	
	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
115.42 (b)	Use of screening information	
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes
115.42 (c)	Use of screening information	
	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
115.42 (d)	Use of screening information	
	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
115.42 (e)	Use of screening information	
	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
115.42 (f)	Use of screening information	
	Are transgender and intersex inmates given the opportunity to	yes

	shower separately from other inmates?	
115.42 (g)	Use of screening information	
	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
115.43 (a)	Protective Custody	
	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
115.43 (b)	Protective Custody	
	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.)	yes
	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.)	yes
	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.)	yes
115.43 (c)	Protective Custody	
	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
115.43 (d)	Protective Custody	
	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?	
115.43 (e)	Protective Custody	
	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
115.51 (a)	Inmate reporting	
	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
115.51 (b)	Inmate reporting	
	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
115.51 (c)	Inmate reporting	
	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
115.51 (d)	Inmate reporting	

	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
115.52 (a)	Exhaustion of administrative remedies	
	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.	no
115.52 (b)	Exhaustion of administrative remedies	
	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
115.52 (c)	Exhaustion of administrative remedies	
	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
115.52 (d)	Exhaustion of administrative remedies	
	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
115.52 (e)	Exhaustion of administrative remedies	
	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
115.52 (f)	Exhaustion of administrative remedies	
	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
115.52 (g)	Exhaustion of administrative remedies	
	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
115.53 (a)	Inmate access to outside confidential support services	
	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
115.53 (b)	Inmate access to outside confidential support services	
	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
115.53 (c)	Inmate access to outside confidential support services	
	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
115.54 (a)	Third-party reporting	
	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
115.61 (a)	Staff and agency reporting duties	
	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
115.61 (b)	Staff and agency reporting duties	
	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
115.61 (c)	Staff and agency reporting duties	
	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?	
115.61 (d)	Staff and agency reporting duties	
	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
115.61 (e)	Staff and agency reporting duties	
	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
115.62 (a)	Agency protection duties	
	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
115.63 (a)	Reporting to other confinement facilities	
	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
115.63 (b)	Reporting to other confinement facilities	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes
115.63 (c)	Reporting to other confinement facilities	
	Does the agency document that it has provided such notification?	yes
115.63 (d)	Reporting to other confinement facilities	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes
115.64 (a)	Staff first responder duties	
	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
115.64 (b)	Staff first responder duties	
	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
115.65 (a)	Coordinated response	
	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
115.66 (a)	Preservation of ability to protect inmates from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that 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?	
115.67 (a)	Agency protection against retaliation	
	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
115.67 (b)	Agency protection against retaliation	
	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
115.67 (c)	Agency protection against retaliation	
	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
115.67 (d)	Agency protection against retaliation	
	In the case of inmates, does such monitoring also include periodic status checks?	yes
115.67 (e)	Agency protection against retaliation	
	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
115.68 (a)	Post-allegation protective custody	
	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
115.71 (a)	Criminal and administrative agency investigations	
	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
115.71 (b)	Criminal and administrative agency investigations	
	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
115.71 (c)	Criminal and administrative agency investigations	
	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
115.71 (d)	Criminal and administrative agency investigations	
	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
115.71 (e)	Criminal and administrative agency investigations	
	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
115.71 (f)	Criminal and administrative agency investigations	
	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
115.71 (g)	Criminal and administrative agency investigations	
	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
115.71 (h)	Criminal and administrative agency investigations	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
115.71 (i)	Criminal and administrative agency investigations	

	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
115.71 (j)	Criminal and administrative agency investigations	
	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
115.71 (l)	Criminal and administrative agency investigations	
	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
115.72 (a)	Evidentiary standard for administrative investigations	
	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
115.73 (a)	Reporting to inmates	
	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
115.73 (b)	Reporting to inmates	
	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
115.73 (c)	Reporting to inmates	
	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
115.73 (d)	Reporting to inmates	
	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
115.73 (e)	Reporting to inmates	
	Does the agency document all such notifications or attempted notifications?	yes
115.76 (a)	Disciplinary sanctions for staff	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
115.76 (b)	Disciplinary sanctions for staff	
	Is termination the presumptive disciplinary sanction for staff who	yes

	have engaged in sexual abuse?	
115.76 (c)	Disciplinary sanctions for staff	
	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
115.76 (d)	Disciplinary sanctions for staff	
	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
115.77 (a)	Corrective action for contractors and volunteers	
	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
115.77 (b)	Corrective action for contractors and volunteers	
	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
115.78 (a)	Disciplinary sanctions for inmates	
	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
115.78 (b)	Disciplinary sanctions for inmates	

	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
115.78 (c)	Disciplinary sanctions for inmates	
	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
115.78 (d)	Disciplinary sanctions for inmates	
	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
115.78 (e)	Disciplinary sanctions for inmates	
	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
115.78 (f)	Disciplinary sanctions for inmates	
	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
115.78 (g)	Disciplinary sanctions for inmates	
	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
115.81 (a)	Medical and mental health screenings; history of sexual abuse	
	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
115.81 (b)	Medical and mental health screenings; history of sexual abuse	

	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
115.81 (c)	Medical and mental health screenings; history of sexual abuse	
	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
115.81 (d)	Medical and mental health screenings; history of sexual abuse	
	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
115.81 (e)	Medical and mental health screenings; history of sexual abuse	
	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
115.82 (a)	Access to emergency medical and mental health services	
	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
115.82 (b)	Access to emergency medical and mental health services	
	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

115.82 (c)	Access to emergency medical and mental health services	
	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
115.82 (d)	Access to emergency medical and mental health services	
	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
115.83 (a)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	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
115.83 (b)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	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
115.83 (c)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
115.83 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	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
115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	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.)	
115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	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
115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	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
115.86 (a)	Sexual abuse incident reviews	
	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
115.86 (b)	Sexual abuse incident reviews	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
115.86 (c)	Sexual abuse incident reviews	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes
115.86 (d)	Sexual abuse incident reviews	

	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
115.86 (e)	Sexual abuse incident reviews	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
115.401 (h)	Frequency and scope of audits	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes
115.401 (i)	Frequency and scope of audits	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes
115.401 (m)	Frequency and scope of audits	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes

115.401 (n)	Frequency and scope of audits	
	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: 11/21/2024

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	☐
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	☐
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.	☐
Auditor Full Name as Signed: Ronell Prioleau	Date of Signature: 11/21/2024

AUDITOR INFORMATION	
Auditor name:	Prioleau, Ronell
Email:	r.prilo@yahoo.com
Start Date of On-Site Audit:	
End Date of On-Site Audit:	

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

Agency Chief Executive Officer Information:

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

Agency-Wide PREA Coordinator Information

Name:	Cassandra McGilbra	Email Address:	cassandra.mcgilbra@tdcj.texas.gov
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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:

0

Number of standards met:

10

Number of standards not met:

0

Standards	
Auditor Overall Determination Definitions	
- Exceeds Standard (Substantially exceeds requirement of standard) - Meets Standard (substantial compliance; complies in all material ways with the stand for the relevant review period) - Does Not Meet Standard (requires corrective actions)	
Auditor Discussion Instructions	
Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.	

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Evidence relied upon to make Compliance Determination: 1. Policy and Document Review 2. Pre-Audit Questionnaire 3. TDCJ Safe Prisons/PREA Plan 4. Agency Zero Tolerance Statement 5. Organizational Charts 6. Specialty Staff Interview Notes The Agency has a written Policy and the TDCJ Safe Prisons/PREA Plan, to address the requirements of the standard that mandates zero tolerance toward all forms of sexual abuse and sexual harassment, and it outlines the agency's approach to preventing, detecting, and responding to such conduct.

	The Agency's specific strategies include "Preventing" 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, 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 Agency has designated an upper-level, agency-wide PREA Coordinator/PREA Ombudsman with sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all its facilities. The PREA Coordinator/PREA Ombudsman position reports directly to the Texas Board of Criminal Justice. The PREA Coordinator/Ombudsman was interviewed and reported their direct report staff having enough time to focus on the PREA standards, investigate PREA concerns, training and updating PREA Compliance Managers on policy. During the interviews with the PREA Coordinator/ PREA Ombudsman and the PREA Compliance Manager all outlined their duties to illustrate their ability to manage all the required duties associated with their positions. The Auditor reviewed all policies related to zero tolerance and during formal and informal interviews and conversations with the central headquarters office staff it was obvious the zero-tolerance policy radiates throughout the agency. 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 headquarters staff interviews it was noted TDCJ staff closely monitor for Inmate-on-Inmate sexual misconduct in accordance with PREA standards; allegations are reported and investigated, and inmates are held accountable. After a careful and detailed review, the Auditor determined the Agency meets the requirements of the standard.
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115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Evidence relied upon to make Compliance Determination: 1. Policy and Document Review 2. Pre-Audit Questionnaire

	3. TDCJ Safe Prisons/PREA Plan 4. Specialty Staff Interview Notes The Auditor randomly reviewed 15 of 27 renewed and new contracts since the last audit to include Private Residential Treatment Centers, Private Transitional Treatment Centers and Private Secure Confinement Facilities and determined the contract language included an obligation for the contractor to adopt and comply with the PREA standards. Through interviews with the PREA Coordinator/PREA Ombudsman and the Agency Contract Administrator the Auditor confirmed the Agency has a contract monitor position to ensure that the contractors are complying with the PREA standards. This was also verified by reviewing agency policy and TDCJ Safe Prisons/ PREA Plan. During the interview with the Agency's Contract Administrator, it was determined they must maintain regular contact with every inmate placed in a contracting facility. If there are PREA concerns, agency protocol requires the inmate be removed from the facility and the facility be allowed time to make corrective actions and address the concerns. Corrective actions are addressed before the facility is reconsidered. Notification would also be made to law enforcement. The Contract Administrator has the authority to perform an administrative review at any sign of suspected noncompliance. A finding of non-compliance during the administrative review could result in fines, corrective action, contract termination and referral for criminal charges, if applicable. 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. 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. After a careful and detailed review, the Auditor determined that the Agency meets the requirements of the standard.
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115.17	Hiring and promotion decisions
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Evidence relied upon to make Compliance Determination: 1. Policy and Document Review 2. Pre-Audit Questionnaire 3. TDCJ Safe Prisons/PREA Plan

4. Specialty Staff Interview Notes

Texas Department of Criminal Justice as an Agency has not hired or promoted 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 lock up institution. The Agency has not enlisted the 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 lock up institution. The Agency has not hired or promoted or used the services of anyone 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; or has been civilly or administratively adjudicated to have engaged in the activity as described.

The Agency policies and TDCJ Safe Prisons/PREA Plan prohibit the agency/facilities from hiring, promoting or during business with a person or business who may have contact with inmates who has engaged in or attempted to engage in sexual abuse while in incarcerated, or convicted of, civilly or administratively of the same.

The Auditor verified this by reviewing new hire applicant packets as well as reviewing multiple personnel files that included criminal background checks and self-disclosure forms. During the personnel file review the Auditor found this same process of checking backgrounds is also completed when starting new vender contracts and when qualifying staff for in-house promotions. All files reflected the three required questions included and staff affirmed by signing the form.

Before hiring new employees, who may have contact with inmates, the central headquarters staff (1) Performs a criminal background records check; and (2) 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. 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 TDCJ employee.

The central headquarters staff also conducts criminal background records checks annually of current employees and contractors who may have contact with inmates. This is accomplished by using a system call FACT Clearinghouse, this system allows for a continual real-time update on staff interactions with law enforcement agencies who participate in the service. 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 termination of employment. The current policy also requires that staff self-disclose new information related to sexual conduct behavior. The Agency has incorporated and implemented the "Affirmative Duty to Disclose," which all staff were required to affirm and sign. Failure to self-disclose new sexual conduct behavior are grounds for termination. The Agency reports conducting approximately 700 such criminal background checks monthly. Finally, as a requirement of policy and TDCJ Safe Prisons/

	PREA Plan the facility has an obligation to report sexual conduct behavior to other institutional employers. These processes were verified through interviews with headquarters human resource staff and informal conversation with administrative staff. After careful and detailed review of all the information, the Auditor determined the Agency meets the requirements of this standard.
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115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Evidence relied upon to make Compliance Determination: 1. Policy and Document Review 2. Pre-Audit Questionnaire 3. TDCJ Safe Prisons/PREA Plan 4. Specialty Staff Interview Notes The Agency has added new cameras to multiple units/facilities throughout the TDCJ and the Agency did consider the effect of the modification upon the Agency's ability to protect inmates from sexual abuse. Through interviews with Agency leadership the Auditor confirmed that when installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the Agency with facility input always considers how such technology will enhance the Agency/facilities ability to protect inmates from sexual abuse. After careful and thoughtful review of all the information, the Auditor determined the Agency meets this standard.

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Evidence relied upon to make Compliance Determination: 1. Policy and Document Review 2. Pre-Audit Questionnaire

	3. TDCJ Safe Prisons/PREA Plan 4. Inmate Correspondence Response 5. Specialty Staff Interview Notes The Agency has a directive that instructs all Texas Department of Criminal Justice staff involved in making inmate unit/housing assignments with a comprehensive listing of housing assignment criteria and procedures. The TDCJ Classification Plan provides more specific, guidance to staff. All inmate housing assignments, including assignment to a unit or to specific housing areas, such as dormitories, cellblocks, rows, or other similar areas, are made based on objective criteria, and not based on race, color, nationality, or ethnic origin. The initial unit assignment is made at the central headquarters level. All classification committees, classification, security, and health care staff, both at the central and unit levels follow these criteria and procedures. Some of the unit/housing assignments criteria include Criminal history; b. History of institutional sexual violence or victimization; c. Current offense (type and seriousness), sentence length, and amount of time completed on sentence; d. Violent or passive tendencies; e. Security Precaution Designator (SPD); f. Criminal sophistication; g. Inmate enemies; h. Lesbian, gay, and bisexual (both active and passive) tendencies; i. Transgender and intersex identification; j. Characteristics such as height, age, and weight; k. Security threat group affiliation; l. Current institutional adjustment, as reflected in the inmate's disciplinary record; m. Special safety requirements; and n. Predator codes. Information pertaining to each inmate's security characteristics can be found in the inmate's electronic record. The documents contained in the inmate's electronic record are accessible at both the unit and central administration levels. This was confirmed by reviewing multiple inmate records. When making initial housing assignments or housing assignment changes, the designated staff member or committee responsible for making such assignments reviews all pertinent information, such as the classification screen, electronic record, Safe Prisons/PREA Assessment, and other similar information, to determine whether there are any security or health-related needs or restrictions relative to the inmate's housing assignment. After careful and detailed review of all the information, the Auditor determined the Agency meets the requirements for this standard.
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115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

	Evidence relied upon to make Compliance Determination: 1. Policy and Document Review 2. Pre-Audit Questionnaire 3. TDCJ Safe Prisons/PREA Plan 4. Specialty Staff Interview Notes 5. Central Headquarters Statement of Fact As notated in the PAQ and during an interview with the Agency Head Designee, collective bargaining is not recognized by Texas Department of Criminal Justice. TDCJ employees do not participate in collective bargaining. After a careful and detailed review of all the information, the Auditor determined the Agency meets the requirements of this standard.
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115.87	Data collection
	Auditor Overall Determination: Meets Standard
	Auditor Discussion Evidence relied upon to make Compliance Determination: 1. Policy and Document Review 2. Pre-Audit Questionnaire 3. TDCJ Safe Prisons/PREA Plan 4. TDCJ Website Review 5. Specialty Staff Interview Notes The Agency has established policies that address all provision of this standard. The Agency utilizes the Sexual Assault Report, which is a data collection instrument utilized to collect all sexual abuse data. The tracking system contains information on all allegations of abuse, neglect and exploitation, and all serious incidents. One of the functions of the PREA Compliance Manager is to maintain this information. The data is also collected from all contracted facilities. The Agency collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions, as evidenced by policy and the report sample. The Agency aggregates the incident-based sexual abuse data at least annually, as evidenced by the annual PREA report and website review. Incident-based data collected includes the data necessary to answer all questions

	from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice, as evidenced by policy and website posted data. The facility maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews, as evidenced by policy and website posted data. 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. Compliance was further confirmed through review of completed data collection instruments and an interview with the PREA Ombudsman. After a careful and detailed review of all the information, the Auditor determined the Agency meets the requirements of this standard.
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115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Evidence relied upon to make Compliance Determination: 1. Policy and Document Review 2. Pre-Audit Questionnaire 3. TDCJ Safe Prisons/PREA Plan 4. TDCJ Website Review 5. Specialty Staff Interview Notes The Agency has policies in place that address all provisions of the standard. As evidenced by the survey of sexual violence reports, annual PREA reports, and interviews with the Agency Head Designee and the PREA Ombudsman the agency reviews all 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; Taking corrective action on an ongoing basis; and Preparing a semi-annual report of its findings and corrective actions for each unit/facility, and the Agency. The report includes a comparison of the current year's data and corrective actions with those from prior years and provides an assessment of the agency's progress in addressing sexual abuse. The PREA Ombudsman's Office is responsible for the oversight of the reporting process. The Agency's report is approved by the Agency Head Designee and Executive Management Team and made readily available to the public through the agency TDCJ website. These tasks are initiated by the Unit Safe Prisons PREA Manager submitting monthly reports to the Safe Prisons PREA Management Office. The Auditor verified this process of data collection through extensive interviews with

	the Agency Head Designee and the PREA Ombudsman. The Agency does redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility but must indicate the nature of the material redacted, as evidenced by semi-annual PREA reports on the website and the interview with the PREA Ombudsman. After a careful and detailed review of all the information, the Auditor determined the Agency meets the requirements of this standard.
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115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Evidence relied upon to make Compliance Determination: 1. Policy and Document Review 2. Pre-Audit Questionnaire 3. TDCJ Safe Prisons/PREA Plan 4. TDCJ Website Review 5. Specialty Staff Interview Notes The Agency has a policy in place that addresses the provisions of this standard. The Auditor found that the Agency digitally and securely retains all data collected, this data is available to the public through the Texas Department of Criminal Justice website. The annual reports from previous years to present are published on the website. Staff interviewed reported access to any data is restricted to the Agency Senior Staff for operational use and is password protected All personal identifiers have been removed from the reports. The data and records collected are to be retained in accordance with state and agency retention requirements and minimum of 10 years. The PREA Ombudsman interview and review of the annual reports further confirmed this procedure. After a careful and detailed review of all the information, the Auditor determined the Agency meets the requirements of this standard.

115.401	Frequency and scope of audits
	Auditor Overall Determination:
	Auditor Discussion

	Evidence relied upon to make Compliance Determination: 1. Policy and Document Review 2. Pre-Audit Questionnaire 3. TDCJ Safe Prisons/PREA Plan 4. TDCJ Website Review 5. Specialty Staff Interview Notes 6. TDCJ Inmate Correspondence 7. TDCJ Audit Notices During the three-year period starting on August 12, 2014, and during each three-year period thereafter, the Agency ensured that each facility operated by the Agency is audited at least once, as evidenced by a website review. During each one-year period starting on August 12, 2014, the Agency ensured that at least one-third of each unit/facility type operated by the Agency is audited, as evidenced by a website review. The Auditor had access to, and observed, all areas of the Central Headquarters. The Auditor was permitted to request and receive copies of any relevant documents (including electronically stored information). The Auditor was permitted to conduct private interviews with office staff. Inmates and staff were permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel, as evidenced by the Notice of Audits posted and observations made during the Central Headquarters site review. The Auditor received one written letter from an inmate related to a TDCJ unit/facility. After a careful and detailed review of all the information, the Auditor determined the Agency meets the requirements of this standard.
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115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.403 The Agency has published all final audit reports on the Texas Department of Criminal Justice website; this was confirmed by navigating to the page on the website and reviewing all the audit reports. This information is made available to the public and is in accordance with PREA standard 115.403. After a careful and detailed review of all the information, the Auditor determined the

	Agency meets the requirements of this standard.
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Appendix: Provision Findings**115.11 (b) Zero tolerance of sexual abuse and sexual harassment; PREA coordinator**

	Has the agency employed or designated an agency-wide PREA Coordinator?	yes
	Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
	Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities?	yes

115.12 (a) Contracting with other entities for the confinement of inmates

	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
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115.12 (b) Contracting with other entities for the confinement of inmates

	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
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115.17 (a) Hiring and promotion decisions

	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
115.17 (b)	Hiring and promotion decisions	
	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
115.17 (c)	Hiring and promotion decisions	
	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
115.17 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes
115.17 (e)	Hiring and promotion decisions	

	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes
115.17 (f)	Hiring and promotion decisions	
	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
115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
115.17 (h)	Hiring and promotion decisions	
	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
115.18 (a)	Upgrades to facilities and technologies	
	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
115.18 (b)	Upgrades to facilities and technologies	
	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.)	
115.42 (c)	Use of screening information	
	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
115.66 (a)	Preservation of ability to protect inmates from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that 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
115.87 (a)	Data collection	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
115.87 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
115.87 (c)	Data collection	

	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes
115.87 (d)	Data collection	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
115.87 (e)	Data collection	
	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
115.87 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes
115.88 (a)	Data review for corrective action	
	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
115.88 (b)	Data review for corrective action	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes

115.88 (c)	Data review for corrective action	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes
115.88 (d)	Data review for corrective action	
	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
115.89 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
115.89 (b)	Data storage, publication, and destruction	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
115.89 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
115.89 (d)	Data storage, publication, and destruction	
	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
115.401 (a)	Frequency and scope of audits	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	yes
115.401 (b)	Frequency and scope of audits	
	Is this the first year of the current audit cycle? (Note: a "no" response does not impact overall compliance with this standard.)	yes

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