

PREA Agency Audit Report: Final

Name of Agency: Texas Department of Criminal Justice

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 09/15/2023

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

AUDITOR INFORMATION	
Auditor name:	Coudriet, Marc
Email:	usmc58312215@outlook.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

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

Agency AUDIT FINDINGS

Summary of Audit Findings

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

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

Number of standards exceeded:

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

8
Number of standards not met:
0

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

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

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

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

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

115.11(b)

POLICY AND DOCUMENT REVIEW:

Agency Policies and TDCJ Safe Prisons/PREA Plan.

Agency's organizational chart.

INTERVIEWS:

PREA Coordinator.

FINDINGS:

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

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

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

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

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

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

Auditor Discussion

115.17(a)

POLICY AND DOCUMENT REVIEW:

Agency Policies and TDCJ Safe Prisons/PREA Plan.

List of background checks on current employees.

FINDINGS:

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

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

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

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

115.17(b)

POLICY AND DOCUMENT REVIEW:

Agency Policies and TDCJ Safe Prisons/PREA Plan.

INTERVIEWS:

Administrative (Human Resources) Staff.

FINDINGS:

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

115.17(c)

POLICY AND DOCUMENT REVIEW:

Agency Policies and TDCJ Safe Prisons/PREA Plan.

INTERVIEWS:

Administrative (Human Resources) Staff.

FINDINGS:

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

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

115.17(d)

POLICY AND DOCUMENT REVIEW:

Agency Policies and TDCJ Safe Prisons/PREA Plan.

INTERVIEWS:

The Auditor interviewed the Administrative (Human Resources) Staff.

FINDINGS:

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

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

115.17(e)

POLICY AND DOCUMENT REVIEW:

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

INTERVIEWS:

Administrative (Human Resources) Staff.

FINDINGS:

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

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

115.17(f)

POLICY AND DOCUMENT REVIEW:

Agency Policies and TDCJ Safe Prisons/PREA Plan.

HR Files.

INTERVIEWS:

Administrative (Human Resources) Staff.

FINDINGS:

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

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

115.17(g)

POLICY AND DOCUMENT REVIEW:

Agency Policies and TDCJ Safe Prisons/PREA Plan.

FINDINGS:

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

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

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

115.87	Data collection
	Auditor Overall Determination: Meets Standard

Auditor Discussion

115.87(a and c)

POLICY AND DOCUMENT REVIEW:

Agency Policies and TDCJ Safe Prisons/PREA Plan.

FINDINGS:

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

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

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

115.87(b)

POLICY AND DOCUMENT REVIEW:

Agency Policies and TDCJ Safe Prisons/PREA Plan.

FINDINGS:

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

115.87(d)

Agency Policies and TDCJ Safe Prisons/PREA Plan.

FINDINGS:

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

115.87(e)

POLICY AND DOCUMENT REVIEW:

Agency Policies and TDCJ Safe Prisons/PREA Plan.

FINDINGS:

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

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

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

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

FINDINGS:

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

115.401(b)

POLICY AND DOCUMENT REVIEW:

Aggregated data on website.

FINDINGS:

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

115.401(h)

POLICY AND DOCUMENT REVIEW:

There is no agency policy for this provision.

FINDINGS:

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

115.401(i)

POLICY AND DOCUMENT REVIEW:

There is no agency policy for this provision.

FINDINGS:

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

115.401(m)

POLICY AND DOCUMENT REVIEW:

There is no agency policy for this provision.

FINDINGS:

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

115.401(n)

POLICY AND DOCUMENT REVIEW:

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

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
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
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.)	yes
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.)	no

	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	na
	If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is not the third year of the current audit cycle.)	yes
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