

PREA AUDIT: AUDITOR'S SUMMARY REPORT

ADULT PRISONS & JAILS

NATIONAL
PREA
RESOURCE
CENTER



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

[Following information to be populated automatically from pre-audit questionnaire]

Name of facility: Giles W. Dalby Correctional Facility

Physical address: 805 North Ave. F,
Post, Texas 79356

Date report submitted: Initial Report

Auditor Information Jack Falconer

Address: 3421 E. Topeka Drive, Phoenix, Arizona 85050

Email: jfalconer1@cox.net

Telephone number: 602-374-3320

Date of facility visit: 15-17 April, 2014

Facility Information

Facility mailing address: *(if different from above)*

Telephone number: 806-495-2175 ext 222

The facility is:

| | | |
|--|------------------------------------|----------------------------------|
| <input type="checkbox"/> Military | <input type="checkbox"/> County | <input type="checkbox"/> Federal |
| <input checked="" type="checkbox"/> Private for profit | <input type="checkbox"/> Municipal | <input type="checkbox"/> State |
| <input type="checkbox"/> Private not for profit | | |

Facility Type: ☐ Jail ☒ Prison

| | | | |
|---|---------------------------|--------------------------|-------------------------|
| Name of PREA Compliance Manager: | John Powell | Title: | PREA Compliance Manager |
| Email address: | John.powell@mtctrains.com | Telephone number: | 806-495-2175 ext 227 |

Agency Information

Name of agency: Management and Training Corporation

| | | | |
|---|-------------------------------|--|----------------------------|
| Governing authority or parent agency: <i>(if applicable)</i> | | | |
| Physical address: | | 500 N. Marketplace Dr., P.O. Box 10, Centerville, UT 84014 | |
| Mailing address: <i>(if different from above)</i> | | | |
| Telephone number: | | 801-693-2600 | |
| Agency Chief Executive Officer | | | |
| Name: | Scott Marquardt | Title: | President and CEO |
| Email address: | scott.marquardt@mtctrains.com | Telephone number: | 801-693-2800 |
| Agency-Wide PREA Coordinator | | | |
| Name: | Mark Lee | Title: | Corporate PREA Coordinator |
| Email address: | mark.lee@mtctrains.com | Telephone number: | 801-693-2864 |

AUDIT FINDINGS

NARRATIVE:

The PREA audit of the Giles W. Dalby Correctional Facility (DCF), a facility operated by the Management and Training Corporation (MTC), was conducted on April 15-17, 2014. An entrance meeting was held where introductions were made. The following were in attendance:

- Steven McAdams, Senior Warden
- Larry Bond, Associate Warden (Operations)
- Hugh Bryan, Associate Warden (Programs)
- John A. Powell, PREA Compliance Manager
- Christopher Luera, Chief of Security
- Nora Ratke, Classification
- Joey Quintana, Health Services Administrator
- Fred Postell, Human Resources
- Victor Juarez, Lieutenant
- Ruben Flores, Special Investigator
- Carl Nink, MTC Asst PREA Coordinator
- Jack Falconer, PREA Auditor

It is the mission of Management Training Corporation (MTC) to "Be a leader by: implementation of our plan to achieve high performance standards and goals; Maintaining a foundation based on integrity, accountability, and excellence; Providing long-term growth and stability while ensuring fiscal responsibility; creating opportunities through a positive environment for personal growth and development; empowering employees to implement innovative ideas for continuous improvement; Building esteem and pride by celebrating our diversity and accomplishments".

The Dalby Correctional Facility mission is to "Protect the public by operating an institution that is safe, appropriately secure, clean, and humane. We will be dedicated to creating opportunities through a positive environment for personal growth and development of both inmates and staff alike".

The Giles W. Dalby Correctional Facility is a low/minimum security facility located in Post, Texas (Garza County) approximately 40 miles southeast of Lubbock, Texas. The institution opened in October of 1999 with a rated capacity of 1094. In November 2007, two additional housing units were constructed resulting in a new rated capacity of 1921. The physical plant consists of 14 buildings situated on 15 acres of land within the city of Post.

The facility is owned by Garza County and is operated by Management and Training Corporation (MTC) through a contractual agreement to house criminal alien male inmates for the Federal Bureau of Prisons. Upon completion of their sentence, the majority of the inmates are released into the custody of the Immigration and Customs Enforcement for deportation.

There are six general population housing units containing double-bunked cells and dormitory pods. The Special Housing Unit is located in "A" Building with 61 cells. The "A" building also has 64 double occupancy cells. "B" building and "C" building each have 4 pods of 32 double occupancy cells. The cells have lavatory/commodes in the cell, the showers have doors and the SHU has attached recreation spaces. The SHU Unit houses inmates in administrative and disciplinary segregation, protective custody, new inmates to the facility, and inmates within 30 days of their release

"D" building has 24 double occupancy cells and 6 pods for dormitory type housing. "E" and "F" building each have 4 dormitory pods used for inmate housing. Each dorm unit provides basic furnishings, shower facilities, and common TV areas. All showers and commodos at Dalby Correctional Facility have panels, shower curtains and screens to enhance privacy.

The ancillary support structures provide spaces for administration, central control, visiting, food service, education, medical, commissary, maintenance, laundry, recreation, a large gym, warehouse, and a Chapel.

The Correctional Officers provide security supervision. The security perimeter consists of two woven wire fences with multiple rolls of razor ribbon wire with an electronic intrusion system. One armed vehicle patrols the perimeter 24/7. A Control Center monitors all traffic entering and exiting the facility. Numerous cameras control the perimeter and are placed throughout the facility to monitor the security and to open doors. The facility has two entry points, the front staff and visitor entrance and the rear wire gate for vehicles

The Educational Programs include Adult Basic Education (ABE), General Educational Development (GED), English as a Second Language, and M.A.E. (Mexican Adult Education (INEA), Primaria and Secundaria. Vocational programs include Computer Skills, Computer Repair, Buildings Trades, Auto-Cad (Computer Assisted Drafting), and Electrical Trades.

The educational program has been accredited by the Correctional Educational Association.

In year 2013, the program reported impressive graduation rates:

Mexican Adult Education (MAE) -61 Federal inmates. The program had an attendance percentage of 96%.

GED -33

ESL -176

Self-improvement programs include Financial Management (Dave Ramsey), Business Basics, DADS 101, Thinking for a Change, Emotional Healing and Awareness, and Knowledge for Today, Strength for Tomorrow, Inmate Work Program, Substance Abuse and Alternatives to Addiction.

The facility also offers an excellent opportunity to participate in Hobby Craft. Currently, there are 746 participants in the program. The program allows inmates to create leather goods, wood crafts, bead art, and canvass art.

There are also recreational activities, religious, and social services available. The Religious Program has sixteen religions represented within the facility. The facility uses nine volunteers who regularly minister to their specific faith group.

The Dalby Correctional Facility has been accredited by the American Correctional Association.

During the three day on-site audit, the auditor toured the facility, examined additional documentation, and conducted formal staff and inmate interviews. 12 inmates from the housing units, 18 specialized staff, 2 management staff, and 10 Correctional Officers were interviewed using the questions provided in the audit documents.

The Pre-Audit document provided by the facility indicated one alleged issues with staff sexual abuse and no inmate on inmate sexual abuse. The interviewed inmates and staff indicated that the Dalby Correctional Facility was a safe place to serve time and to work. There were very few complaints from the inmate population or the facility staff.

In this auditor's opinion, the Dalby Correctional Facility was well managed and the staff was well trained and professional in their assignments. The PREA Compliance Manager was very knowledgeable about the PREA requirements and was considered by the auditor to be very effective in meeting the requirements of PREA.

DESCRIPTION OF FACILITY CHARACTERISTICS:

Facility Demographics Dalby Correctional Facility

| | |
|--|-------------|
| Designed Capacity: | 1921 |
| Actual Population on first day of audit: | 1909 |
| Avg Daily Population (Last 12 months): | 1895 |
| Average Length of stay | 497 days |
| Security/Custody level: | Low (IN) |
| Age range of offenders (yrs): | 20-86 years |
| Gender | Male |
| Number of full time staff: | 328 |
| Admin | 6 |
| Security | 200 |
| Programs | 27 |
| Support | 61 |
| Medical | 34 |

SUMMARY OF AUDIT FINDINGS:

| | |
|------------------------------------|----------|
| Number of standards exceeded: | 0 |
| Number of standards met: | 42 |
| Number of standards not met: | 0 |
| Number of standards not applicable | 1 (115.1 |
| Total | 43 |

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

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

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

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

§115.13 – Supervision and Monitoring

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

§115.14 – Youthful Inmates

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

Not Applicable- No one under 18 years of age at this facility

§115.15 – Limits to Cross-Gender Viewing and Searches

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

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

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

§115.17 – Hiring and Promotion Decisions

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

§115.18 – Upgrades to Facilities and Technology

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

§115.21 – Evidence Protocol and Forensic Medical Examinations

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

§115.22 – Policies to Ensure Referrals of Allegations for Investigations

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

§115.31 – Employee Training

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

§115.32– Volunteer and Contractor Training

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

§115.33 – Inmate Education

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

§115.34 – Specialized Training: Investigations

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

§115.35 – Specialized training: Medical and mental health care

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

§115.41 – Screening for Risk of Victimization and Abusiveness

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

§115.42 – Use of Screening Information

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

§115.43 – Protective Custody

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

§115.51 – Inmate Reporting

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

§115.52 – Exhaustion of Administrative Remedies

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

§115.53 – Inmate Access to Outside Confidential Support Services

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

§115.54 – Third-Party Reporting

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

§115.61 – Staff and Agency Reporting Duties

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

§115.62 – Agency Protection Duties

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

§115.63 – Reporting to Other Confinement Facilities

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

§115.64 – Staff First Responder Duties

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

§115.65 – Coordinated Response

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

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

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

§115.67 – Agency protection against retaliation

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

§115.68 – Post-Allegation Protective Custody

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

§115.71 – Criminal and Administrative Agency Investigations

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

§115.72 – Evidentiary Standard for Administrative Investigations

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

§115.73 – Reporting to Inmate

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

§115.76 – Disciplinary sanctions for staff

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

§115.77 – Corrective action for contractors and volunteers

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

§115.78 – Disciplinary sanctions for inmates

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

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

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

§115.82 – Access to emergency medical and mental health services

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

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

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

§115.86 – Sexual abuse incident reviews

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

§115.87 – Data Collection

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

§115.88 – Data Review ☐ for Corrective Action

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

§§115.89 – Data Storage, ☐ Publication, and ☐ Destruction ☐

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

AUDITOR CERTIFICATION:

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

Jack Falconer Jack Falconer

20 April, 2014

Auditor Signature

Date